NCLR
NATIONAL COUNCIL OF LA RAZA

Educating English Language Learners:



Understanding and Using Assessment

Produced under a grant from the Annie E. Casey Foundation

The National Council of La Raza

Produced under a grant from the Annie E. Casey Foundation
2005

By Jacqueline Vialpando
and Caroline Linse
with Jane Yedlin

©2005 by the National Council of La Raza and The Education Alliance at Brown University.
All Rights Reserved.

This publication was produced by NCLR with the support of the Annie E. Casey Foundation and in consultation with The Education Alliance at Brown University's Northeast and Islands Regional Educational Laboratory, a program funded by the Institute of Education Sciences (IES), U.S. Department of Education, under Contract Number ED-01-CO-0010. Opinions, findings, and conclusions or recommendations expressed in this material are those of the authors alone and do not necessarily reflect the views of IES, the U.S. Department of Education or any other agency of the U.S. government, or the sponsoring organizations. This publication may be reproduced for educational or scholarly purposes provided no fee for the use or possession of such copies be charged to the ultimate consumer of the copies. NCLR and The Education Alliance at Brown University request that proper credit be given in the event of reproduction. This book is distributed with the understanding that NCLR, The Education Alliance at Brown University, and the authors are not engaged in rendering legal services.

About the Writers

Jacqueline Vialpando is on the staff of the National Council of La Raza. Jacqueline is the project director for the charter school guide series *Educating English Language Learners* and participated in developing and writing this guide. Jacqueline's professional experience includes bilingual, ESL, and bilingual special education classroom instruction. She has guided NCLR's work in the area of language and literacy since 2001. Jacqueline earned a B.A. in English from Georgetown University and a M.A. in Education and Human Development from George Washington University.

Caroline Linse, who revised and edited this guide, is an education consultant and writer. Caroline's professional experience includes bilingual, ESL, and EFL classroom instruction and has written assessment instruments and documents for both public and private entities. Caroline earned a doctorate in Teaching Curriculum and Learning Environments from the Harvard Graduate School of Education.

Jane Yedlin is on the staff of The Education Alliance at Brown University and participated in the development and writing of this guide. Her professional experience includes teaching English as a second and foreign language and conducting workshops for teachers in the U.S. and in Mexico. She has taught graduate courses on language, literacy, and methodology at Brown and other institutions and is the author and co-author of several ESL texts and Education Alliance print and web materials on English language learners. Jane earned a doctorate in Language and Literacy from the Harvard Graduate School of Education where she conducted research on literacy instruction to English language learners.

About the Sponsoring Organizations

The **National Council of La Raza's Center for Community Educational Excellence (C²E²)** exists to increase educational opportunities, improve achievement, and promote equity in outcomes for Latinos by building the capacity and strengthening the quality of the community-based education sector.

For more information about C²E² and the National Council of La Raza, visit www.nclr.org, or contact:

National Council of La Raza
Center for Community Educational Excellence
Raul Yzaguirre Building
1126 16th Street, NW
Washington, DC 20036
(202) 785-1670

The **Annie E. Casey Foundation** is a private charitable organization dedicated to helping build better futures for disadvantaged children in the U.S. Recognizing that strong families and strong neighborhoods are interdependent, the Casey Foundation is supporting broad strategies for neighborhood development and family transformation in 22 urban communities around the nation though its Making Connections initiative.

For more information about the Annie E. Casey Foundation and the Making Connections initiative, visit www.aecf.org/ initiatives/ ntfd/ making.htm, or contact:

The Annie E. Casey Foundation
(410) 547-6600
webmail@ aecf.org

The **Education Alliance at Brown University** has 25 years' experience helping educational organizations, agencies, and communities improve schooling. Issues of equity and diversity have long been central themes of the Alliance's work, with particular emphasis on immigrant, migrant, refugee, and other populations whose cultural and linguistic backgrounds both strengthen and challenge educational institutions. Many of the Education Alliance's activities and publications focus on the education of English language learners (ELLs).

For information about The Education Alliance at Brown University, visit the Alliance's homepage http:// www.alliance.brown.edu/ or its Teaching Diverse Learners page http:// www.alliance.brown.edu/ tdl/, or contact:

The Education Alliance at Brown University
222 Richmond Street
Suite 300
Providence, RI 02905
(800) 521-9550, ext. 339
TDL@ alliance.brown.edu.

Other resource guides available in this series from the National Council of La Raza:
Educating English Language Learners: Designing and Implementing High-Quality Programs
Educating English Language Learners: Implementing Instructional Practices

Acknowledgments

This publication draws from the excellent work of many people and organizations, including:

The Center for Applied Linguistics

The Center for Research on Education, Diversity & Excellence, University of California, Santa Cruz (CREDE)

The Education Alliance at Brown University

The George Washington University Center for Equity and Excellence in Education

The National Association for Bilingual Education (NABE)

The National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs (NCELA), formerly the National Clearinghouse for Bilingual Education (NCBE)

Teachers of English to Speakers of Other Languages, Inc. (TESOL)

Tertulia Precollege Community Charter School

World-Class Instructional Design and Assessment (WIDA) Consortium

NCLR is grateful to the Annie E. Casey Foundation for supporting the development of this handbook.

The project director gratefully acknowledges Ariana Quiñones-Miranda, former Deputy Vice President of the NCLR Center for Community Educational Excellence (C^2E^2), who saw the urgent need for this series, *Educating English Language Learners*. She established the fundamental framework for the guides, which are designed to help charter schools better address the needs of English language learner (ELL) students.

We also acknowledge the assistance of the talented, creative, and dynamic individuals who contributed their ideas, expertise, time, and encouragement to the completion of this resource guide, including: Denise Vialpando, Brunno Manno, Maria Pacheco, Jane Yedlin, Adalberto Andino, Rocio Inclán, Dahlia Aguilar, Irene Cuyún, Sandra Gutiérrez, Monica Liang-Aguirre, Carmen Ramos-Watson, Luis Genao, Adaora N'wigwe, Melissa Colón, Roberto Rodríguez, and Charles Jackson. Cristina Bryan, NCLR consultant, provided substantive editorial guidance in the preparation of this guide; Magdalena Lezama, Production Administrative Assistant in NCLR's Graphics, Design & Publications unit, prepared this guide for publication; and Gustavo Muñiz, consultant, designed the front and back covers. Thanks are also due to the project director's parents. To her father, who reminds her of what matters and what needs to be done. *Gracias a mi querida madre quien en vida siempre demostró amor y orgullo por su lengua y su cultura, y una compasión infinita hacia otros.*

Finally, we thank the founders, leaders, staff, parents, and students of NCLR-affiliated and nonaffiliated charter schools. Their insights and experiences greatly inspired and influenced the design and content of this guide.

Table of Contents

Preface i
Introduction iii

Chapter One: Overview of Assessment 1
Basic Tenets of Assessment 1
Sample Assessment and Training Calendar 2
Types of Assessment 4
Selection and Implementation of Appropriate Assessments 9

Chapter Two: The No Child Left Behind Act and Its Implications for English Language Learners 15
Basic Tenets of NCLB Title I 15
NCLB Title I Requirements for Teachers and Paraprofessionals 16
NCLB Title I Requirements for Charter Schools 17
Basic Tenets of NCLB Title III 21
Other Important ELL Provisions in NCLB 24

Chapter Three: Accommodation Issues and Linking Assessment to Instruction 25
Basic Tenets: The Relationship Between Instruction and Assessment for ELLs 25
ELL-Inclusive Assessment and Accountability 28
Using Assessment Data to Inform Instruction 31
Reporting Assessment Data for ELLS 32

Chapter Four: Informal Classroom-Based Assessment 35
Basic Tenets of Informal Classroom-Based Assessment 35
Structured Informal Classroom Assessment 36
Unstructured Informal Classroom Assessment 38
Portfolio Assessment 41

Chapter Five: Putting it All Together: A Comprehensive Assessment Plan 43
Basic Tenets of a Comprehensive Assessment Plan 43
Steps Necessary for Implementing a Comprehensive Assessment Plan 43

Endnotes 52

Appendix A: Glossary 55
Appendix B: Frequently Asked Questions About ELLs 61
Appendix C: Bilingual Educational Resources 65
Appendix D: NCLB Assessment Administration Requirements 67
Appendix E: Scenarios for Professional Development 69
Appendix F: Web Resources 73

List of Checklists

Checklist 1.1: Choosing an Appropriate Language Proficiency Test Instrument 10
Checklist 3.1: ELL-Inclusive Assessment Accountability 29
Checklist 3.2: Determining Appropriate Accommodations for Assessments 31
Checklist 3.3: Reporting ELL Assessment Data 33
Checklist 5.1: School Assessment Needs and Capacity 44
Checklist 5.2: Elements to Consider in Developing a Comprehensive Assessment Plan . . .47
Checklist 5.3: ELL Student Data 50

List of Tables

Table 1.1: Basic Assessment Types for ELLs 5
Table 3.1: TESOL PreK-12 Goals and Standards 27
Table 4.1: Structured Informal Assessment Techniques 36
Table 4.2: Unstructured Informal Assessment Techniques 38
Table 4.3: Scoring Assessments for Unstructured Activities 40
Table 4.4: Benefits and Drawbacks of Using Portfolio Assessments for ELLs 41

List of Sample Documents

Ch 1: Sample Assessment and Training Calendar 3
Ch 1: Sample Language Proficiency Tests 8
Ch 1: Sample Spanish-Language Content Mastery Tests 11
Ch 1: Sample Special-Purpose Assessments 13
Ch 2: Sample State Annual Measurable Achievement Objectives 23
Ch 3: Sample WIDA Standards for ELL Students 28
Ch 3: Sample Testing Accommodations for ELLs 30
Ch 5: Sample ELL Data Needed for NCLB Reporting Form 51

Preface

This guide addresses the development of an effective assessment program for schools serving English language learners (ELLs). Emphasis is on charter schools, but the information in this guide would be of use to any K-12 school in the U.S., Puerto Rico, Guam, or Trust Territories with ELLs. An abundance of information exists, and this book represents an attempt to synthesize and break it down into simple and comprehensible blocks of information.

Each chapter begins with basic tenets, background, and theoretical underpinnings. The chapters contain numerous charts and tables designed to make information easily accessible to educators and parents alike.

At the end of the guide there are lists of resources. For those interested in obtaining more information, references and website sources have been noted.

About the resource guide series:
This guide is part of a series, *Educating English Language Learners*, designed to assist charter schools in developing their capacity to provide appropriate curricula, instruction, and assessment for ELLs, and increase educators' awareness of how to access relevant resources. The development of these guides has come in response to a descriptive study conducted in partnership with the National Clearinghouse for Bilingual Education (now known as the National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs) to identify the strengths and weaknesses of charter schools in serving limited-English-proficient (LEP) students, or English language learners. The study determined that the degree and quality of language support services at a charter school is contingent upon the knowledge and experience of staff with second-language acquisition or bilingual education, and the staff's skill in finding and using the most helpful resources.

There are two other guidebooks in this series:
Educating English Language Learners: Designing and Implementing High-Quality Programs provides information relevant to founders and operators of charter schools serving ELLs in how to design an appropriate language support program, what factors to consider, and where materials and human resources can be obtained to craft a successful model.

Educating English Language Learners: Implementing Instructional Practices is designed for teachers, academic coaches, staff developers, and school leaders. ESL, Bilingual, and general education teachers will all find instructional strategies, techniques, and guidelines helpful for engaging ELLs and other diverse learners.

Introduction

It is important that charter schools operated by educators, parents, and school leaders take into consideration the needs of all learners. Who are the students who will attend these schools? What strengths and needs do these students present, and how will they be addressed? School-based curriculum and instruction development teams are generally knowledgeable and well-informed about factors such as stages of cognitive development and special education needs, but educators repeatedly underestimate or do not predict the number of English language learners (ELLs) who will be enrolling in their charter schools.

Often charter school operators, administrators, and staff do not possess the knowledge base or experience with second-language acquisition theory, instructional practice, and evaluation necessary to differentiate and recognize the cultural and linguistic strengths and educational needs of ELLs. Without this information to guide school planning and the development of internal and external support systems, teachers and administrators can become frustrated and even resentful of the very students whose needs they do not know how to meet.

This publication, *Educating English Language Learners: Understanding and Using Assessment*, is part of a series developed to inform and assist charter schools serving English language learners. This guide is based, in part, on presentations and workshops designed to answer technical assistance requests from the National Council of La Raza's (NCLR) educational affiliates, charter schools, and charter school allies. The No Child Left Behind Act connects assessment and accountability success to future school funding, which is another reason that the question of how culture and language impact the accurate assessment of English language learners needs to be addressed more fully.

This body of work is a product of NCLR's Center for Community Educational Excellence (C^2E^2). The mission of C^2E^2 is to increase educational opportunities, improve achievement, and promote equity in outcomes for Latinos by building the capacity and strengthening the quality of the community-based education sector. We sincerely hope that this publication will not only help meet current needs, but will encourage charter schools to publish and share their successful experiences and challenges in addressing the strengths and needs of ELLs.

Assessment in a Time of Accountability

In the last decade, assessment and accountability have become a focal point in discussions about education. Assessment and accountability are often perceived as synonymous, but it is important to understand the difference between them.

Assessment is the fair and reliable measurement of student abilities and progress. In the context of the No Child Left Behind Act of 2001, Title I and Title III, (1) all students must undergo assessment, (2) progress by all students to meet challenging state and local content and achievement standards must be demonstrated, and (3) the appropriateness of assessments for individual students must be established.

ELL students, then, must be assessed appropriately within the context of an assessment system for *all* students.

The main purpose of assessment and accountability systems is to improve the instruction that will impact student learning, but how this is accomplished varies among states and student populations. In order to ensure that accountability is meaningful, an assessment system should include both wide-scale and responsive assessments, commonly known as formal standardized tests and informal classroom tests.

Assessment mandated by the district or by the state should both validate and inform teachers' classroom assessment of students. For example, a language proficiency test measures a student's listening, speaking, and perhaps reading and writing skills in a specific language. A reading test assesses a student's ability to read and comprehend text, and a spelling test is an assessment of how well a student spells a set of words.

Accountability, on the other hand, is the process of holding individuals and institutions responsible for the strengths or weaknesses detected through assessment. To construct a productive accountability system, assessments that are appropriate for all students need to be selected, and user-friendly and accurate reporting structures for collection and distribution of data must be developed. The roles and responsibilities of individuals charged with making decisions on instruction and resources should also be clearly delineated.

Charter Schools, ELL Students, and Assessment

Charter schools are uniquely positioned to provide excellent and appropriate educational services to ELLs. Because of the nature of their establishing statutes, charter schools are allowed greater flexibility to implement programs that the community determines will benefit students. However, that flexibility comes with a responsibility to choose from among current research and from best practices. This is an opportunity to see assessment not simply as a mandated point of compliance, but as a strategy for enhancing learning and for being responsive to the community that formed the charter school.

When faced with designing and implementing a complex system of assessment and accountability, charter school operators may feel that their human and fiscal resources are insufficient when compared to those of larger school systems. This guide is intended to support a charter school's understanding of good assessment so that assessment becomes a constructive

tool for measuring the progress of students and schools. A full understanding of assessment will help teachers and administrators to use resources wisely in support of the ultimate goal: learning for all students.

The greater flexibility afforded a charter school operator also allows for the tailoring of curriculum, instruction, and assessment so that the school is responsive to all students, particularly ELL students. Charter school operators may also be able to choose what and how student achievement data are reported to the public, such as through annual standardized test scores, longitudinal data, narrative information on student progress from year to year, or test results of native-language assessments. Recording and marketing the successes and special features of the school benefits the school, staff, parents, and students, and can present to the public an accurate picture of how students are faring.

A Note on Labels and Terms Used

When discussing students in this guide, one term is generally used: "English language learner" or "ELL." We recognize that any label can be problematic, but this term focuses on one commonality among a diverse group of students – they are all learning the English language.

There are other labels for these students. For example, within classrooms in the United States, common terms are "language-minority," "bilingual," and "limited-English-proficient" (LEP). The terms "LEP" and "language-minority" are official designations under federal law. However, each of these labels has its problems. For example, in many communities, language-"minority" students are in the numerical majority. Many of these "bilingual" students are on their way to becoming bilingual, but in the early grades do not understand, speak, read, or write two languages. A term such as "limited-English-proficient" focuses on the negative, on what students cannot yet do, rather than on their strengths. Even the term "second language" does not accurately describe a student for whom English is a third or fourth language. The student population is linguistically and ethnically diverse. Students are often multilingual, with multicultural backgrounds. In fact, to avoid the misnomer of "second language learners," some national organizations refer to these students as "English as a new language" (ENL) learners.

There are other terms used almost interchangeably in this guide. These terms include "wide-scale assessment," "large-scale assessment," and "standardized assessment," which reflect the way in which they are used within educational circles.

For a charter school operator, it is important to become familiar with the commonly-used terms of the state or district for identifying students who are not native English speakers, and use these same identification terms for reporting purposes. The glossary, Appendix A, lists and defines such terms.

CHAPTER 1

Overview of Assessment

The challenge of assessing English language learners has never been greater than it is today. Assessment has always been used to inform placement and instruction, but in today's climate of accountability it serves other vital functions as well. In order to comply with laws against discrimination, the No Child Left Behind Act (NCLB),[1] and state and local regulations, schools must implement a comprehensive assessment program for all students, including English language learners. This chapter contains information regarding the types of assessment required for program placement, and describes assessments that comply with the Office for Civil Rights guidelines and with NCLB requirements. The information in this chapter is also designed to serve as a guide for conducting the assessments necessary for enrolling and appropriately placing new students in school.

Basic Tenets of Assessment

A sound assessment program should follow three basic tenets.

First, assessment should be a measure of what students know and can do, rather than a measure of what they do not know or cannot do. The emphasis should be on the skills and knowledge that they have acquired, and test items should not present culturally unfamiliar situations.

Second, the *validity* and *reliability* of each assessment instrument should be known. A *valid* assessment measures what it purports to measure; a *reliable* assessment is consistent over time and when used by different raters. *Content validity* indicates how well the actual content of the test samples or represents the academic subject matter. The closer the relationship is between what is taught and what is tested, the higher the *content validity*. *Reliability* refers to the consistency of results from an assessment or test when administered to the same individual on different occasions. For example, some tests have multiple forms to avoid false results because of student familiarity with the test items. If a student takes a test and scores an 87, then retakes a different form of the same test several days later and scores an 85 (in other words, the student receives similar scores for both tests), the test is shown to have a high degree of reliability.

Third, the use of multiple types of assessments, rather than a single one, provides a fuller and more accurate picture of students' abilities and strengths;

helps educators understand the learning process and the developmental stages of individual students; and helps guide decisions regarding placement and instruction.

This is especially important given the high stakes of today's tests. Important decisions regarding grade promotion/ retention, graduation, placement in core content classes, and college admissions are regularly based upon test results. Extensive research shows that no single assessment measure can be used to evaluate the academic and linguistic knowledge of ELLs fairly. Many researchers recommend the use of at least three different assessments. The following are a few important things to keep in mind regarding multiple measurements and why they should be used.[2]

- Each type of assessment has a specific purpose.
- Tests developed for a specific purpose cannot be used for another purpose. For example, the literacy component of a statewide test cannot be used to assess ELLs' English language proficiency.
- For ELLs, a combination of *oral* assessments and *written* assessments gives a more accurate picture of a student.
- Use of one type of assessment does not take into account variations in student learning styles and teacher input.
- Varied scoring mechanisms used on different forms of assessment provide a more accurate picture of an ELL's skills and abilities.
- High-stakes decisions, such as grade retention, promotion, tracking, and graduation, necessitate the use of multiple measures of student performance to provide a complete picture of a student's strengths and needs. In fact, the Title III federal law governing the education of ELLs requires that multiple, up-to-date, high-quality assessments of language and student achievement be implemented.

Sample Assessment and Training Calendar

Charter schools have found it useful to create yearlong assessment and training calendars. By providing this information prior to the start of the school year, plans can be made around the assessments. For example, teachers can schedule field trips during time periods that do not conflict with various assessment dates, and parents can avoid scheduling doctor and dental appointments for their children on preset assessment dates.

The following Sample Assessment and Training Calendar can be used as a guide for other charter schools planning their own assessment programs.[3] (Please note that not all assessments listed in the sample calendar below are required under No Child Left Behind.)

Sample Assessment and Training Calendar

Date	Type of Assessment
Aug. 21	Reading Assessment Training
Aug. 23	Reading Assessment (English) Baseline Assessment
Aug. 23	Reading Assessment (Spanish) Baseline Assessment
Sept. 23	Pre-LAS (Language Proficiency Test) Training – PreK-1 ESL/Bilingual Education teachers LAS (Language Proficiency Test) Training – Grades 2-12 ESL/Bilingual Education teachers
Sept. 27	Pre-LAS Oral – English testing* LAS Oral – English testing (PHLOTE – Primary Home Language Other Than English – only)
Sept. 27	Pre-LAS Oral – Spanish testing* LAS Oral – Spanish testing (All students)
Sept. 27	LAS Reading (English) (New PHLOTE only)
Sept. 27	LAS Writing (English) (New PHLOTE only)
Nov. 15	Cycle I Writing Portfolio Assessment
March 7	Cycle II Writing Portfolio Assessment
March 24-28	Stanford 9 (Grades 2-9)
March 28	Mid-Year Reading Assessment (for students below grade level)
May 5-9	AIMS testing (Grades 3, 5, 8 – Offered in grades 10, 11, and 12 for students who have not passed all sections.) (Arizona State Assessment)
May 31	LAS Oral (English) (PHLOTE only)
May 31	LAS Oral (Spanish) (All students K-12)
May 30	Cycle III Writing Portfolio Assessment
May 31	LAS Writing (English) (Grades 2 and above)
June 20	End-of-Year Reading Assessments (Spanish)
June 20	End-of-Year Assessments (English)

*The Pre-LAS is designed for grades PreK–Grade 1.

This assessment calendar was designed for a K-12 charter school offering a bilingual program. The specific assessments will depend upon the grade levels of instruction and whether English and Spanish instruction is provided. There may also be state or district assessment guidelines that your school must follow.

Types of Assessment

There are four basic types of assessments that are customarily used to assess English language learners. *Program Placement and Language Proficiency Assessments* ensure that ELLs who need support to overcome language barriers are identified. *Content Mastery: Informal Assessments* are designed to help the classroom teacher and other school-based educators plan and modify the daily curriculum to meet the needs of individual learners. *Content Mastery: Formal or Standardized Assessments* are designed to determine whether or not students have made Adequate Yearly Progress (AYP) as set forth by Title III of NCLB. Finally, *Special Purpose Assessments* are designed to help educators determine which students need special services such as programs for gifted learners or other special education programs.

It is widely recognized that an instrument used for one assessment purpose may not be useful or appropriate for another purpose. Further, content mastery or academic achievement assessments are conducted at specific intervals in the academic year, while the language proficiency and special purpose assessments are given throughout the year and with their own specific cycles.

Table 1.1
Basic Assessment Types for ELLs

Type of Assessment	Purpose	Source	Use of Outcomes	Reporting Uses	How Administered
Program Placement Assessments and Language Proficiency Assessments	To identify and place ELL students. (Language proficiency tests can also be used to demonstrate progress toward English-language proficiency.)	School or district-created Home Language Survey and commercial and/or customized language proficiency tests.	Provision of appropriate language services.	Information to parents about student placement, compliance with federal laws.	Individually administered by trained personnel.
Content Mastery: Informal Assessments	To monitor student progress.	Usually teacher-made; some commercial.	Grading, modifying instruction.	Report to parents on progress and strengths.	Group or individual, can be administered by teachers or instructional aides, or can be student self-assessments.
Content Mastery: Formal or Standardized Assessments	To monitor student progress, often used for "high-stakes" purposes.	Commercial, state, or district-developed.	To benchmark progress, compare student against others or a standard of achievement, program accountability, identify patterns in school/district, promotion or graduation.	Report to parents and community, report to funding sources, possible compliance with state or federal laws.	Usually group-administered by instructional personnel; training may be required to administer the test.

Source: National Association for Bilingual Education.

Program Placement and Language Proficiency Assessments

ELLs are considered language minorities, and several federal laws protect their rights. Schools must determine if a student is an "English language learner" so that appropriate educational decisions can be made and the necessary services provided. It is the charter school's responsibility to assess ELLs and place them into programs that will help them overcome language barriers and be successful in school.

Keep in mind the following federal laws and court cases:

- ELLs are afforded equal protection under the Fourteenth Amendment of the U.S. Constitution, which prohibits discrimination based on country of origin.
- ELLs are protected under Title VI of the Civil Rights Act of 1964, which prohibits discrimination in any federally-funded activity on the basis of race, color, ethnicity, national origin, religion, or creed.
- In 1970, the Office of Civil Rights (OCR) issued a memo identifying the responsibilities of school districts serving ELLs. It directs school districts to take steps to help ELLs overcome language barriers, and to ensure that they can participate meaningfully in educational programs.[4]
- In 1974, the Supreme Court decision in the landmark case *Lau v. Nichols* directed school districts throughout the nation to adequately serve limited-English-proficient students.
- In 1981, a federal court, in the case of *Castaneda v. Pickard*, found that a three-part test must be used to determine if school districts are complying with the Equal Educational Opportunities Act (EEOA) of 1974:
  1) The school must implement a program based on sound educational theory or, at a minimum, a legitimate experimental program design.
  2) The school district must put into practice the educational program that they have designed, and must allocate the necessary personnel and practices to turn theory into reality.
  3) The school must abolish or replace programs that fail to produce results.
- Title III (formerly Title VII) of the Elementary and Secondary Education Act of 2002 aims to ensure that ELLs participate in quality programs that are academically rigorous and that teach English.

Identification of ELLs

When students enroll in school, they should be assessed to determine appropriate placement and services needed. The assessment protocol should include the identification of English language learners. Language proficiency, in both English and a student's home language, should be measured upon entry to provide baseline information. This information will be crucial in determining whether or not students are meeting English-language proficiency benchmarks (Annual Measurable Achievement Objectives) and making Adequate Yearly Progress.

The federal government does not specify how ELLs should be identified, only that every student who speaks a language other than English must be identified. Administrators and teachers first need to determine if a student's Primary Home Language is Other Than English (PHLOTE). Schools usually require parents and guardians to complete a form called the Home Language Survey. Students who are identified as having a primary home language other than English are then assessed for their level of English-language proficiency, using language proficiency assessment instruments. Many states have additional requirements and regulations for determining English-language proficiency.

There are many language assessment test instruments available commercially. A comprehensive searchable database of English-language proficiency tests which includes test descriptions, purchasing information, grade levels assessed, purposes of tests, and languages addressed can be found at the Center for Equity and Excellence Education Test Database Website: http://ceee.gwu.edu/standards_assessments/EAC/HOME.HTM.

The following table provides a list of various commercially-available instruments used to assess English language learners. These tests commonly assess a student's oral, reading, and writing skills.

Note that some of the language proficiency tests listed below are also designed to assess other skills in addition to English-language proficiency. For example, they may be used to assess oral language skills in a child's first language to determine language dominance and/or to assess written language skills. Their primary use, however, is to assess whether or not children are proficient in English, and to determine if children are making progress toward English-language proficiency.

Sample Language Proficiency Tests

Test Name	Description
Basic Inventory of Natural Languages (BINL) Grades: K-12 Language: 32 various CHEC Point System, Inc. 1520 N. Waterman Ave. San Bernadino, CA 92404 Phone: (909) 888-3296 Fax: (909) 384-0519	The **Basic Inventory of Natural Languages (BINL)** is a measure of oral language proficiency in Arabic, Armenian, Cambodian, Cantonese, Chinese, Creole, Dutch, English, Farsi, French, German, Greek, Hindi, Hmong, Ilokano, Inupiaq, Italian, Japanese, Korean, Laotian, Navajo, Filipino, Polish, Portuguese, Russian, Spanish, Taiwanese, Tagalog, Toishnese, Ukrainian, Vietnamese, and Yugoslavian, for students in grades K-12. It can be used for placement and the determination of language dominance. Test-taking skills are unnecessary for the examinee, since oral language is elicited through the use of large photographic posters. These posters depict scenes from a variety of cultures, which can be discussed without reference to cultural specifics. Testing is done individually and takes ten minutes.
IDEA Language Proficiency Tests (IPT) Grades: K-12 Language: English and Spanish Ballard and Tighe P.O. Box 219 Brea, CA 92822-0219 Phone: (800) 321-4332 Fax: (714) 255-9828	The **IDEA Language Proficiency Tests (IPT)** includes normed oral language proficiency tests for students in prekindergarten through high school, with three levels in both English and Spanish. All three provide designations for non-English- or Spanish-speaking, limited-English- or Spanish-speaking, and fluent- English- or Spanish-speaking. The tests are individually administered. The designations of non-English-speaking, limited-English-speaking, and fluent-English-speaking allow the IPT oral tests to serve as part of the initial identification of ELL students needing an alternative program of services system and the criteria for redesignating students as no longer limited in English proficiency and eligible for program exit. The IPT Reading and Writing Proficiency Tests are group-administered. They are available in three levels: the IPT I for grades two and three; IPT II for grades four through six; and IPT III for grades seven through 12. They are published in both English and Spanish versions and yield diagnostic reading profiles, percentiles, and Normal-Curve Equivalents (NCEs). They can be used as part of the initial identification and program exit process.
Language Assessment Battery (LAB) Grades: K-12 Language: Spanish and English Riverside Publishing 8420 W. Bryn Mawr Ave. Chicago, IL 60631 Phone: (800) 323-9540 Fax: (630) 467-7192	**Language Assessment Battery (LAB)** is an English-language proficiency test for students in grades K through 12, and was developed to correspond to the curriculum of the New York City school system. It is primarily used to identify, for placement purposes, those non-native-speakers whose English proficiency is not advanced enough to allow for English to be used as the primary language of instruction. It can also be used to monitor their progress and for program evaluation purposes. The test has four levels. Except for the speaking test, all sections can be administered in groups, with a total test time of two hours. Short forms of the test are available: the K-2 Short LAB takes about eight minutes to administer, and the 3-12 Short LAB takes about ten minutes. A Spanish version of the test was developed with its own norms and is also available in two forms.
Language Assessment Scales (Oral/Reading and Writing) Grades: K-Adult Language: Spanish and English CTB/McGraw-Hill 20 Ryan Road Monterey, CA 93940 Phone: (800) 538-9547 Fax: (800) 282-0266	The **Language Assessment Scales (LAS)** is published in different forms: the Pre-LAS, intended for young children approximately four to six years of age; the LAS-O I, for elementary grade levels; the LAS-O II, for secondary levels; and the LAS-A, for adult second-language learners. The LAS-O is individually administered and is scored to classify students into five different proficiency levels subsumed within the broader designations of non-English-speaking, limited-English-speaking, and fluent-English-speaking. It therefore can meet a number of purposes. It can be used as part of the initial identification of ELL students needing language support services. Depending on how the language program is structured, it can place students into different instructional groupings. It can be used to track annual progress in oral English proficiency and can determine starting level and progress in first language.

cont'd on page 9

Sample Language Proficiency Tests - cont'd from page 8

Test Name	Description
Woodcock-Muñoz Language Survey Grades: PreK to Adult Language: English Riverside Publishing 8420 W. Bryn Mawr Ave. Suite 1000 Chicago, IL 60631 Phone: (800) 323-9540 Fax: (312) 693-0325	The **Woodcock-Muñoz Language Survey** is intended to provide information on a student's cognitive and academic language proficiency, that is, the extent to which the student commands the kind of language typically required in school. It is individually administered. It has both English and Spanish forms, each consisting of four subtests, two of which generate a score for oral language ability and two a reading and writing ability score. Together, all four form a broad language-ability score. The Woodcock-Muñoz yields several different kinds of scores. It provides levels, called CALP (cognitive academic language proficiency) levels 1-5. The levels designate negligible English or Spanish; very limited English or Spanish; limited English or Spanish; fluent English or Spanish; and advanced English or Spanish. (Levels can be expressed at intermediate values; for example, a 3-4 is a student between levels 3 and 4.) It also yields grade equivalents, age equivalents, percentiles, normal-curve equivalents, scale scores (called W scores), and standard scores. A computer scoring and reporting program is available.
Secondary Level English Proficiency (SLEP) Test Grades: 7-12 Language: English Educational Testing Service P.O. Box 6158 Princeton, NJ 08541 Phone: (609) 771-7206 Fax: (609) 771-7835	The **Secondary Level English Proficiency (SLEP) Test** is intended for secondary students, approximately grades 7 through 12. It consists of a listening comprehension and a reading comprehension section, each of which consists exclusively of multiple-choice items. Therefore, students should have prior experience with this kind of test format. SLEP scores appear in both scale score and percentile forms. Designations are not provided for limited or fluent English proficiency, but guidance is given on what students in different score ranges can be expected to do. Schools can use these guidelines to establish local criteria. The SLEP can be used as part of initial ELL designation, to assess annual progress, and for consideration for program exit. The time required for the entire test is approximately 85 minutes.
Bilingual Syntax Measure I and II (BSM) Grades: K-12 Language: English The Psychological Corporation Harcourt Assessment, Inc. 19500 Bulverde Road San Antonio, TX 78259 Phone: (800) 211-8378 Fax: (800) 232-1223	The **BSM I** and **BSM II** measure second-language oral language proficiency with respect to the syntactic structures in English and Spanish. The BSM I is intended for students in grades K through 2, and the BSM II is designed for students in grades 3 through 12. Both tests lead to language proficiency classifications. BSM I has five classifications of English oral language proficiency. BSM II offers two additional classifications. Both can be used as part of the initial identification of LEP students needing language support services. The test is individually administered. BSM I takes 10-15 minutes per student and BSM II takes approximately 10-20 minutes.

Source: Center for Equity and Excellence in Education (George Washington University).

Selection and Implementation of Appropriate Assessments

Before selecting an assessment instrument, one must review the test carefully to ensure that it meets the needs of the program and the needs of the school. In some cases, charter schools are allowed to give only the language proficiency tests and standardized assessments mandated by the local school district. In other cases, public schools are allowed to use only language proficiency and standardized assessment instruments that have been approved by their commonwealth, state, or territory Department of Education.

The following are key questions to ask as you go through the process of choosing an appropriate language proficiency test instrument.

Checklist 1.1
Choosing an Appropriate Language Proficiency Test Instrument

- ❑ What is the length of time needed to administer the assessment?
- ❑ What training, if any, is required for the test proctor? What type of training does the test manufacturer provide and at what cost?
- ❑ Is the assessment available in the languages spoken by students in the school?
- ❑ Is the test culturally responsive for the learners who will be taking it? For example, are there items on the test that would be easily understood by some ELLs but not by all of the ELLs who will be taking the test?
- ❑ What are the costs for purchasing, implementing, and scoring the assessment?
- ❑ Will the test publisher sell the test directly to the charter school, or does the charter school have to go through the local school district to obtain copies of the test? Most test manufacturers require an educator to sign documents stating that s/ he will make sure that the test is kept in a secure location and will only be used for the purposes for which it was intended.
- ❑ How easy is it to order and reorder the assessment?
- ❑ What are the assessment scoring options?
- ❑ How many forms or versions of the test are available? (Students should not be reassessed or retested with the same test instrument. Whenever possible, a different form should be used.)

Source: Guerrero, M., and Ann Vecchio, *Handbook of English Language Proficiency Tests,* 1995.

Content Mastery: Informal Assessments

Informal assessments are used by classroom teachers and other school-based educators to plan and modify the daily, weekly, and monthly curricula. These tests allow the classroom teacher to monitor student learning, noting what adjustments could be made to meet the needs of, and advance learning for, groups and individuals.

Content Mastery: Formal or Standardized Assessments

The purposes of formal or standardized assessments include testing students to establish an entry benchmark and determine progress for grade-level retention or advancement, high school graduation, and selection for special programs or services, among others. These tests also provide information for program accountability purposes. Whether you administer tests for reading comprehension, math, or science, if the test is administered in English, for ELLs, the assessment then also becomes a test of English-language proficiency.

To obtain valid results of a student's academic knowledge, tests should be administered in a student's native language whenever possible if the student received instruction in his or her native language.

Create a Baseline for Students

When new students (grades two and above) enroll in school, a standardized assessment instrument should be administered to create a baseline, a "starting point" set of data against which you will be able to measure growth at the end of the year. Assessment instruments such as the ones listed below may be used to create a baseline if students will be receiving instruction in Spanish and possess some Spanish-language literacy skills.

Sample Spanish-Language Content Mastery Tests

Test Name	Description
Aprenda: La Prueba de Logros en Español Grades: PreK-8 Language: Spanish The Psychological Corporation Harcourt Brace 555 Academic Ct. San Antonio, TX 78204 Phone: (800) 228-0752 Fax: (512) 299-2722	**Aprenda** has several forms, covering pre-primary, primary, and intermediate grades. It generally matches the objectives of the Stanford Achievement Tests. Different forms provide different coverage according to their grade levels, but in general Aprenda measures reading, language arts, and mathematics. Administration of each section of the test ranges from 60 to 90 minutes. Time required to complete all sections is four to five hours.
La Prueba de Realización en Español Grades: K-12 Language: Spanish and English Riverside Publishing Houghton Mifflin 8420 W. Bryn Mawr Ave. Suite 1000 Chicago, IL 60631 Phone: (800) 323-9540 Fax: (312) 693-0325	**La Prueba de Realización** (the Spanish version of the 3 Rs Test) is an achievement test for Spanish-speaking students and has nine levels that span grades K-12. It has subtests in reading, writing skills, mathematics, social studies, and science. La Prueba measures Spanish literacy and scholastic achievement of content areas taught in Spanish. The test is administered to groups and employs a multiple-choice format and answer sheets that can be scored by computer or by hand. Test administrators must be fluent in both English and Spanish, since items are written in Spanish but directions for administration are in English. Administration of test is more than 90 minutes.
Batería Woodcock-Muñoz: Pruebas de Aprovechamiento-Revisada Grades: K-12 Language: Spanish and English Riverside Publishing 8420 W. Bryn Mawr Ave. Suite 1000 Chicago, IL 60631 Phone: (800) 323-9540 Fax: (312) 693-0325	The **Batería Woodcock-Muñoz: Pruebas de Aprovechamiento** is the Spanish parallel version of the Woodcock-Johnson Revised Tests of Achievement. It spans all grade levels, kindergarten through college-educated. It gives information in clusters of reading, mathematics, written language, and general knowledge. It is individually administered.

cont'd on page 12

Sample Spanish-Language Content Mastery Tests - cont'd from page 11

Test Name	Description
Spanish Assessment of Basic Education (SABE) Grades: 1-8 Language: Spanish CTB/McGraw Hill 20 Ryan Ranch Rd. Monterey, CA 93940 Phone: (800) 538-9547 Fax: (800) 282-0266	The **Spanish Assessment of Basic Education (SABE)** is a series of norm-referenced tests for grades 1-8 designed to measure achievement in the basic skills of reading, mathematics, spelling, language, and study skills. It is statistically linked with the Comprehensive Test of Basic Skills (CTBS) and the California Achievement Test (CAT).
Test de Vocabulario en Imagenes Peabody Grades: PreK-12 Language: Spanish and English American Guidance Service 4201 Woodland Rd. Circle Pines, MN 55041-1796 Phone: (800) 328-2560 Fax: (612) 786-9077	This is a Spanish version of the **Peabody Picture Vocabulary Test.** It spans ages 2-18. It can be used as an achievement test to show progress in Spanish and has also been used as an indicator of language proficiency or a screening test of scholastic aptitude. It is individually and orally administered. Spanish norms have not yet been developed.

Source: Center for Equity and Excellence Education (George Washington University).

ELLs are often mistakenly placed in inappropriate programs and overlooked for participation in some appropriate ones. Unfortunately, while ELLs are frequently overrepresented in special education programs for students with disabilities, they are underrepresented in gifted and talented programs.[5] Another problem is that ELLs who show signs of learning disabilities are sometimes not offered the right kind of special education services, because their difficulties are misidentified simply as language issues.[6] ELLs should receive a culturally-responsive, unbiased assessment for special education services in a timely fashion, and should be assessed using procedures that take into account a learner's cultural and linguistic heritage.

ELLs who have been identified as having special needs should receive both ESL services and special education services. Listed on the next page are assessment instruments that can be used to determine if Spanish-speaking ELLs have special education needs.

Sample Special-Purpose Assessments

Test Name	Description
Batería Woodcock-Muñoz: Pruebas de Habilidad Cognitiva Revisada Grades: Early Childhood-90 years Language: Spanish and English Riverside Publishing 8420 W. Bryn Mawr Ave. Chicago, IL 60631 Phone: (800) 323-9540 Fax: (630) 467-7192	The **Batería Woodcock-Muñoz** is the Spanish version of the **Woodcock-Johnson Revised Tests of Cognitive Ability**. It is a set of individually administered tests for ages 2 through 90, with special provisions for university students. The tests are designed to assess long-term retrieval, short-term memory, processing speed, auditory processing, visual processing, comprehension/knowledge, fluid reasoning, and Spanish oral language proficiency. The Spanish and English versions are parallel and therefore can provide comparative language information.
Boehm Test of Basic Concepts Revised, Spanish Edition Grades: K-2 Language: Spanish and English The Psychological Corporation Harcourt Brace 555 Academic Ct. San Antonio, TX 78204-2498 Phone: (800) 228-0752 Fax: (512) 299-2722	This is the Spanish edition of the **Boehm Test**, designed to measure mastery of concepts fundamental to understanding verbal instruction and necessary for early school achievement. It helps identify students with basic concept deficiencies. It can be administered individually or to small groups. Spanish norms are not available for this test.
Escala de Inteligencia Wechsler para Niños Grades: K-8/9 Language: Spanish and English The Psychological Corporation Harcourt Brace 555 Academic Ct. San Antonio, TX 78204-2498 Phone: (800) 228-0752 Fax: (512) 299-2722	This is the Spanish translation of the **Wechsler Intelligence Scale for Children**. School psychologists administer the test on an individual basis. The test is divided into two main sections. The Verbal Scale measures how well children are able to express themselves verbally and how well they are able to understand what is being said to them. The Performance Scale measures the nonverbal areas of being able to perceive spatial relationships; such as in putting puzzles together, and being able to transfer visual information rapidly. Using test interpretation, the three I.Q. scores and the specific pattern of strengths and weaknesses indicate how well a child is able to learn, and whether there are any specific learning disabilities. This information is then used to predict at what academic level a child should be functioning. In this way, diagnoses of learning impairments are possible.
Sociocultural Checklist Grades: 1-9 Language: English Cross Cultural Developmental Education Services 6869 Northwest Drive Ferndale, WA 98248-9425 Phone: (360) 380-7513	The **Sociocultural Checklist** was developed as an initial screening tool for educators in American public schools who are concerned about the learning and behavior of a specific student from a culturally- or linguistically-diverse background (both dialect and language). A teacher, or team of education personnel who are familiar with the student's background and classroom behavior, scores the Sociocultural Checklist. Also available is a strength-based version, the **Resiliency Checklist**, which uses the same form to track students from preschool into elementary and secondary programs. Both checklists are in English, but the information can be gathered and reported in any language. Manuals and scoring forms in tablets are available.

Source: Center for Equity and Excellence in Education (George Washington University).

Identifying ELLs as Gifted and Talented

Given the limited tests that are available for identifying ELLs as gifted and talented, many ELLs who should participate in such programs are not selected.[7] Most testing instruments have been developed for native English speakers from middle-class socioeconomic backgrounds. Below are steps that educators can take to assess students more fairly:

- Use multiple measures for identification.
- Administer assessment in the student's native language.
- Select tests that reduce cultural and linguistic bias.
- Form an assessment team that is sensitive and knowledgeable of the needs of ELLs.
- Use behavioral checklists or inventories, nominations, or related techniques to identify gifted and talented ELLs.
- Use interviews, self-reports, autobiographies, and case histories.
- Increase awareness of different ways that giftedness may manifest in different populations.

CHAPTER 2

The No Child Left Behind Act and Its Implications for English Language Learners

The No Child Left Behind Act (NCLB), signed into law in January 2002, reauthorized the Elementary and Secondary Education Act. NCLB legislation holds states, local education agencies (LEAs), and individual schools accountable for the progress made by English language learners as they strive to attain English proficiency, develop high levels of academic competence in English, and meet the same challenging state academic content and student academic achievement standards that all children are expected to meet. Title I and Title III of NCLB outline the provisions of the law regarding assessments, accountability, highly-qualified teachers, and limited-English-proficient (LEP) students. Title I and Title III funds can both be used to provide services to ELLs.

Title I refers to programs aimed at the most disadvantaged students in the U.S., reaching about 12.5 million students enrolled in both public and private schools. Title I Part A provides assistance to improve the teaching and learning of children in high-poverty schools, to enable those children to meet state academic content and performance standards.

The purpose of Title III is to ensure that LEP students, including immigrant children and youth, develop English proficiency and meet the same academic content and academic achievement standards that other children are expected to meet. Schools use Title III funds to implement language instruction educational programs.

This chapter provides charter schools with general assessment requirements under the No Child Left Behind Act, and gives answers to both basic and more complex questions about how NCLB and its provisions impact English language learners. Please note that the requirements of NCLB are updated periodically. It is important to check with your state education agency (SEA) and the NCLB website[1] for updates.

Basic Tenets of NCLB Title I

✍ **Title I provides federal funding for schools to help students who are behind academically or at risk of falling behind, regardless of their cultural or linguistic background or national origin.** Services can include: hiring teachers to reduce class size, tutoring, computer labs, parental involvement activities, professional development, purchase of materials and supplies, pre-kindergarten programs, and hiring teacher assistants or others.

The funding formula is as follows: Title I grants are provided to states noncompetitively, which allocates funds on the basis of student enrollment and census, poverty, and other data. States complete an application for Title I funds, usually a consolidated plan that includes funding for other Titles in NCLB. The State Plan will describe how the state intends to include ELLs in their assessment and accountability systems, among other things.

- **In its current form, Title I is a program based on the documented relationship between poverty and academic achievement.** Research studies done over the past 30 years show conclusively that schools with high concentrations of economically disadvantaged students generally demonstrate lower levels of achievement than do schools with lower concentrations of economically disadvantaged students.
- **Title I requires a written parental involvement policy.** The parental involvement policy must be distributed to all parents, and should include a school-parent contract that outlines how parents, school staff, and students will share responsibility for improving student academic achievement, and the means by which the school and parents will build and develop a partnership to help children meet the state's established standards.
- **Title I calls for highly-qualified teachers.** The federal law requires that all teachers must demonstrate subject matter competency in the subject(s) they teach by 2005-06.
- **Title I requires adherence to specific NCLB assessment requirements.** See below for specific NCLB Title I assessment requirements for charter schools, including guidelines for measuring Adequate Yearly Progress (AYP).

NCLB Title I Requirements for Teachers and Paraprofessionals

Qualifications for Teachers in Charter Schools

By the year 2005-2006, the No Child Left Behind Act requires that every classroom have a highly-qualified teacher. Charter school teachers who teach core academic subjects must comply with all of the requirements in a state's charter school law regarding certification or licensure. A teacher in a charter school does not have to be licensed or certified by the state if the state's charter law does not require such licensure or certification. However, teachers of core academic subjects in charter schools must meet the other requirements that apply to public school teachers, including holding a four-year college degree and demonstrating competence in the subject area they teach. The "core academic subjects" include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

Timeline for Meeting Teacher Requirements

"Newly-hired teachers" of core academic subjects in Title I charter schools are teachers who are hired after the 2002-2003 school year. These teachers must meet the highly-qualified teacher requirements applicable to charter school teachers before entering the classroom. Teachers of core academic subjects hired before the start of the 2002-2003 school year must meet the requirements by the end of the 2005-2006 school year.

Qualifications for Paraprofessionals in Title I Charter Schools

Paraprofessionals with instructional support duties in charter schools receiving Title I funds need to meet the same requirements as paraprofessionals in traditional Title I public schools. This requirement applies only to paid paraprofessionals and not to parents or other volunteers.

Timeline for Meeting Paraprofessional Requirements

Paraprofessionals hired after enactment of NCLB (January 8, 2002) and working in Title I programs must complete at least two years of study at an institution of higher education, possess at least an associate's degree, or demonstrate subject matter competence through a formal state or local assessment. Paraprofessionals hired before enactment of NCLB and working in Title I programs must meet these same requirements by January 8, 2006.

NCLB Title I Assessment Requirements for Charter Schools

Beginning in the 2005-06 school year, NCLB requires annual state testing and assessment in at least reading and math for every child, including English language learners, in grades three through eight. In 2007-08, schools will be required to add science tests, although these may not be required on an annual basis. The state tests must:

- Be aligned with state academic standards
- Be valid and reliable for the designed purposes of assessment
- Be consistent with nationally-recognized professional and technical standards
- Be useful for diagnostic purposes (although not restricted to this use)
- Provide test results which are disaggregated or divided into categories according to race, ethnicity, gender, English-language proficiency, disability status, migrant status, and socioeconomic status
- Be valid and reliable and based on research

Under Title I, ELLs must be tested, to the extent practicable, in the language and form most likely to yield accurate results. ELLs who have attended schools in the U.S. (not including Puerto Rico) for three consecutive years must be tested in English unless it is determined, on a case-by-case basis, that native-language tests will yield more accurate results. In that case, those ELLs can be tested in their native language for up to two additional years.

Defining and Measuring Adequate Yearly Progress (AYP)

Each state may set its own definition of AYP, and is required to ensure that all students meet the state's "proficient" level of academic achievement in 12 years from the 2001-02 school year (100% proficiency). The AYP for each state must include separate measurable annual goals for all students and groups of students characterized by race, ethnicity, English proficiency, disability, and socioeconomic status.

The AYP must be based on each state's academic standards and shall be measured primarily by the state assessments, and may include other measures, such as:

- Other formal assessments
- Grade retention rates
- Attendance rates
- Participation in courses for gifted and talented students
- Participation in advanced courses
- Graduation rates (for high school); elementary schools must use one additional measure

States must use 2001-02 school-year data on student proficiency levels as the baseline against which to measure progress toward meeting AYP. The baseline data must reflect the group of students listed above (race, ethnicity, etc.) with the lowest academic proficiency level, or on the school within each state whose students are at the 20th percentile ranking, whichever measure is higher.

There is a "safe harbor clause" designed to keep schools from being labeled as "In Need of Improvement" for failing to meet AYP because of only one criterion. Schools with a subgroup of students, e.g., English language learners, who are not making AYP can avoid sanctions if that subgroup makes some progress and the progress has been properly documented. There are three conditions, all of which must be met for a school to be covered under the "safe harbor clause":

- The percent of students in the nonproficient subgroup has decreased by a minimum of 10% in the reading/ language and math assessments from the previous school year.
- The school has made progress on one or more of the other assessment indicators that matches or is above the target for that specific indicator.

- ✍ The school has achieved a minimum of 95% participation rate of student subgroups.

Check with your state Title III Office for Annual Measurable Achievement Objectives (AMAO) guidelines for English-language proficiency to ensure that your school is aligned with the Title I achievement standards.

Additional AYP Options for Schools Serving ELLs
Administration of Assessments: States have the option to exempt from the reading/ language arts content assessment those ELLs who have been in U.S. schools for less than ten months. The annual administration of the English-language proficiency assessment to ELLs, however, is not optional.

Subgroup Classification: For AYP calculations, states are allowed up to two years to include in the LEP subgroup students who have exited LEP programs by attaining English proficiency.

State and School Accountability Report Cards (SARC)

It is important to check with your state Department of Education to determine the exact requirements for school accountability report cards.

NCLB legislation requires that state accountability report cards contain the following information:

- ✍ Student achievement data disaggregated or divided into categories according to race, ethnicity, gender, English proficiency, disability status, migrant status, and poverty
- ✍ Academic objectives for each subgroup, including the benchmarks for English-language acquisition, math, reading, and language arts
- ✍ The percentage of students not tested
- ✍ Information on other indicators of progress
- ✍ High school graduation rates
- ✍ Professional qualifications of teachers in the state

School district accountability report cards must include district- and school-level information,* including:

- ✍ The number of schools in the district which have been identified for school improvement
- ✍ The results for students within the district on the state assessment and the results for other AYP measures

---

* For examples of SARCs, visit the Washington State Office of Superintendent of Public Instruction website, Shoreline School District report cards: http://reportcard.ospi.k12.wa.us. Many states provide report cards in Spanish – Illinois, for example. A sample can be found at the Illinois State Board of Education website: www.isbe.net or ftp://ftpirptcard.isbe.net/ReportCard2004/2004StateReport_s.pdf.

A school accountability report card (SARC) template in Word is available at the California Department of Education website, http://www.cde.ca.gov.

- ✍ At the school level, whether a school has been identified for improvement
- ✍ The percentage of students eligible for language support services, e.g., bilingual/ ESL, English-language proficiency benchmarks (Annual Measurable Achievement Objectives – AMAOs), and whether these benchmarks were met
- ✍ High school graduation rates
- ✍ Professional qualifications of teachers in the state

Identifying and Providing Assistance and Sanctions to Schools in Need of Improvement Under NCLB

A school shall be identified for improvement if it fails to make AYP for two consecutive years. Schools must come up with a two-year school improvement plan that (1) addresses the specific problem that caused the school to be identified for improvement; (2) includes professional development; and (3) enhances parental and community involvement. Sanctions are triggered in the following manner after the school has been identified for improvement:

Year Two – In the school year following the year in which the school administered the assessments that resulted in its identification for improvement, corrective action, or restructuring, students attending that school can immediately transfer to another school in the district.

Year Three – Students in schools identified for school improvement can continue to transfer and can receive supplemental services outside of the school if the school fails to make AYP one year after it has been identified for improvement.

Year Four – If the school fails to make AYP for two years after it has been identified for school improvement, students can continue to transfer and receive supplemental services, and the school can be reconstituted. Reconstitution includes options such as replacing the staff, changing the curriculum, and extending the school day or year.

Year Five – If a school fails to make AYP for three years after it has been identified for school improvement, the above student services and school-level options apply. In addition, the school can be reopened as a charter school and/ or turned over to a private management company; if it is a charter school it becomes subject to a state takeover. It is important to check with your state's school authorizer as well as the agency responsible for closing low-performing schools to determine the exact criteria for reopening or reconfiguring a charter school. The policies in place vary greatly from state to state.*

* Charter schools identified for improvement must offer similar outside supplemental services and school transfer options. However, the steps of reconstitution and structural changes differ for charter schools and are addressed by the charter school authorizing entity. For more information on how each state is addressing schools identified "in need of improvement," contact your state charter school association or go to the Charter Friends Network (www.charterfriends.org).

Basic Tenets of NCLB Title III

- **Provides funding for language instruction for limited-English-proficient and immigrant students.** The funds are distributed through state education agencies (SEAs).
- **Enforces accountability requirements.** States must hold subgrantees accountable, including charter schools, for making Adequate Yearly Progress as described in Title I and for meeting all annual achievement objectives.
- **Requires that curricula be effective.** Language instruction curricula used to teach limited-English-proficient children must be tied to scientifically-based research and demonstrated to be effective.
- **Targets funds to the classroom.** Ninety-five percent of Title III funds must be used for grants at the local level to teach limited-English-proficient children.
- **Provides discretion over instructional methods.** Local entities have the flexibility to choose the method of instruction to teach limited-English-proficient children.
- **Requires that teachers be certified as English-language-proficient.** School districts must certify that all teachers in a language instruction education program for limited-English-proficient students are fluent in English and any other language used for instructional purposes, with both written and oral communication skills. Many states, such as California and Texas, require teachers to pass English-language competency tests. California requires teachers to prove their English-language proficiency by passing the CBEST test (http://www.cbest.nesinc.com/). Many other states require teachers to take the PRAXIS exam to prove their English-language proficiency (http://www.ets.org/praxis/).
- **Requires that parents be notified about program placement.** Within 30 days of enrollment, parents and guardians must be notified if their children have been identified for ELL services. Identification and assessment procedures and academic outcomes should be communicated, as well as information regarding all of the instructional programs offered at the school and assistance on selecting an appropriate model. Parents and guardians have the right to remove their children from programs designated for ELL children.
- **When applicable, parents and guardians are to be notified as to whether the school has met its annual English-language acquisition and academic achievement benchmarks.** (Note that new charter schools will not have this information.) Parents and guardians have the right to keep their children enrolled in low-performing schools and receive free tutoring, or to transfer their children out of low-performing schools.

- **Sets English-language proficiency as an objective.** Annual Measurable Achievement Objectives for limited-English-proficient students must relate to gains in English proficiency, and meet challenging state academic standards that are aligned with Title I achievement standards.
- **Requires English reading and language arts assessment of all children.** Title I's requirement of annual assessment in English of all children, including limited-English-proficient students, who have attended school in the United States (excluding Puerto Rico) for three or more consecutive years, applies also to grantees funded under Title III.
- **Establishes requirements for the languages of assessment.** Native-language tests may be required for measuring what ELLs know and can do. ELLs must be tested in English if they have attended school in the United States (excluding Puerto Rico) for three consecutive years. Schools and school districts are allowed waivers for two additional years if certain criteria are met. States must also have commenced administering English-language proficiency tests to ELLs in the 2002-03 school year.
- **Requires that tests be valid and reliable for the purposes for which they are being used.** A valid test is a test that measures what it is purports to measure. A reliable test is one that is consistent over time and with different raters. It is important to make sure that research supports the test's validity and reliability for the types of learners who will be taking the test.
- **Requires states to establish Annual Measurable Achievement Objectives (AMAOs) for limited-English-proficient students.** Check with your Title III office for AMAOs. States must establish standards and benchmarks for raising LEP students' level of English proficiency. States must also align academic standards for LEP students with state academic standards that are consistent with the state accountability system (including the annual tests in reading and math to be given in grades three through eight). On the next page is a sample of State Annual Measurable Achievement Objectives.

Sample State Annual Measurable Achievement Objectives

New Jersey

Annual Measurable Achievement Objectives (AMAO)

The first AMAO shows annual increases in the number or percentage of children making progress in learning English. In New Jersey, we will define this objective as follows:

- In 2013-14, 100% of all Limited English Proficient (LEP) students will increase one level of English language proficiency after each year of English language instruction.

The second AMAO shows annual increases in the number or percentage of children attaining English proficiency by the end of each school year, as follows:

- Grades K-4: In 2013-14, 100% of all LEP students will achieve English language proficiency and exit the program in four full years or less.
- Grades 5-12: In 2013-14, 100% of all LEP students will achieve English language proficiency and exit the program in five full years or less, or meet New Jersey high school graduation requirements.

The following table shows the annual targets for each of the AMAOs:

The second column shows the percentage of LEP students who are expected to show progress in acquiring English-language proficiency. Progress is defined as moving up one English-language proficiency level for each year that a student is enrolled in a language support program.

The third column shows the annual target for the percent of LEP students who meet the time-in-program for acquiring English and exiting language support programs.

English Language Proficiency Performance Targets
Annual Measurable Achievement Objectives (AMAOs)
Grades K-4

School Year	Percent of LEP Students Making Progress in Acquiring English-Language Proficiency	Percent of LEP Students Attaining English-Language Proficiency
2003-2004	50%	50%
2004-2005	55%	55%
2005-2006	60%	60%
2006-2007	65%	65%
2007-2008	70%	70%
2008-2009	75%	75%
2009-2010	80%	80%
2010-2011	85%	85%
2011-2012	90%	90%
2012-2013	95%	95%
2013-2014	100%	100%

Source: New Jersey Department of Eucation website, http://www.state.nj.us/njded/bilingual/policy/amao.htm

Other Important ELL Provisions in NCLB

- **Program Improvement.** Language instruction educational programs are required to develop an improvement plan, including professional development and program improvements, if they fail to meet performance objectives for two consecutive years. If programs are still failing after four consecutive years, then the programs will be required to revamp their approach to educating ELLs, and states may withhold funds or require replacement of personnel related to program failure.
- **Parental Involvement.** Parent notification is required for a child's participation in a bilingual or ESL program. No written consent from parents, though, is required prior to a child's enrollment in a bilingual or ESL program.
- **Time Limits.** The agreement does not require a three-year limit on language instruction for limited-English-proficient students. However, programs will be held accountable for ensuring that students make gains in learning English and academic achievement.
- **Use of Native-Language Instruction.** The legislation allows school districts to choose a research-based approach that will help ELLs succeed academically. In other words, the legislation does not prohibit primary language, dual language, or bilingual programs. The legislation allows school districts to choose an approach that will help ELLs succeed academically.
- **Performance Objectives and Accountability.** The legislation requires states to establish Annual Measurable Achievement Objectives for the development and attainment of English proficiency of students enrolled in language instruction educational programs. The state Office of Education will provide the parameters for AMAOs. Programs will be held accountable for meeting these annual targets, while also meeting AYP to ensure that students keep up with challenging academic standards.

  The NCLB Assessment Administration Requirements, listed in Appendix D, are designed to serve as a guide in determining which ELL students must take particular tests. Verify with your state education agency (SEA) and charter authorizer regarding which NCLB options apply.

CHAPTER 3

Accommodation Issues and Linking Assessment to Instruction

Since the passage of NCLB, the importance of assessment as a means to satisfy state and federal regulations has become a focus of great interest and concern. In the current educational climate, accountability cannot be overlooked. However, the main aim of assessment is and should be to inform and improve instruction.

ELLs require specialized instruction tailored to meet their cultural and linguistic needs. Assessment can, and should, be a tool for helping a school fulfill this obligation.

All assessments, both large-scale and classroom-based, should be built around and linked directly to the instruction that takes place in classrooms. Assessment data should be used to modify instruction for groups of ELL students as well as individual ELL students.

Basic Tenets: The Relationship Between Instruction and Assessment for ELLs

All assessment, large-scale and classroom-based, should be guided by curriculum and instruction; similarly, curriculum and instruction must be driven by assessment outcomes to increase academic achievement. For instruction and assessment to be relevant and effective for ELLs, the assessments must be aligned with the teaching standards and instructional practices. This is not an easy task to accomplish, considering the multiple factors that must be considered when including ELLs in a school's instruction and assessment design.

The results of both types of assessment should be used to inform instruction. For example, if the test results for large-scale assessment indicate that fourth-grade ELLs are having trouble with the reading skill inference, then the classroom teachers assigned to those levels should spend more time teaching children how to infer to gain meaning. At the classroom level, a teacher may be assessing student writing and note that the ELLs are having difficulty with expressing a main idea. The teacher can then devote more time to helping students develop this skill.

Clearly ELLs must be assessed in order to determine the effectiveness of the instruction provided them. The exclusion of ELLs from annual assessments creates a knowledge gap regarding their academic abilities and needs. Missing baseline assessments on both language proficiency and content achievement

makes it difficult to assess ELLs' academic progress and to develop longitudinal comparisons of their academic achievement across schools, districts, or states. Additionally, without assessment data, parents of ELLs do not have accurate information to gauge how well their children are doing compared to other children; the result is that they are unable to assist their children appropriately and advocate effectively for improvements in their local schools.

Culturally-Responsive Instruction and Assessment

Instruction and assessment tools for ELLs are ineffective if based solely upon a middle-class European-American perspective. Culturally-responsive instruction involves adapting the subject matter to be more inclusive. For example, if you are teaching a social studies unit on families, it is essential both to include and to honor the types of families and family values represented by your learners. In addition, assessment should be culturally responsive. For example, a math assessment would be culturally unresponsive if the story problem assumes that students possess knowledge about U.S. National Parks. Whenever possible, assessment instruments should be reviewed by individuals who possess knowledge of the cultures and languages represented by students, as well as experience with curriculum, instruction, and assessment.

Instrument Reliability and Validity

The lack of valid and reliable assessment tools for ELL students is often used as a reason for not including these students in assessments. It is not sufficient to exempt ELLs from academic content or language proficiency assessments because an assessment is not reliable or valid in English; this would lead to schools and districts not being held accountable for ELLs' progress, leaving these young people with dismal or no specialized services. The development of good native-language assessments is an alternative means of accurately measuring an ELL's academic content knowledge. Of course, schools should be aware that this is an option to ELLs who have been instructed in their native language.

Aligning Assessment with Standards

Standards are a set of shared educational objectives that guide the learning experience of students, and can serve two functions. First, they can be used to guide the development of curriculum and curricular implementations in the form of instruction. Second, they can provide the benchmarks for the development of assessment instruments and individual assessment items.

To support mainstream and English-as-a-Second-Language (ESL) teachers in the alignment of assessment and teaching standards for ELLs, a professional organization called Teachers of English to Speakers of Other Languages, Inc. (TESOL) created a set of ESL Standards for grades PreK-12.[1] These standards are not intended to be used in isolation, but rather as a foundation for, or a bridge to, the academic content standards.

TESOL established three broad goals for ELLs at all age levels, which include personal, social, and academic uses of English. Each goal is associated with three distinct standards that will be met as a result of the instruction that students receive. Listed below are the broad PreK-12 TESOL Goals and Standards. (For more comprehensive information regarding the TESOL standards, visit their website at www.tesol.org.)

Table 3.1
TESOL PreK-12 Goals and Standards

	Goals	Standards
1	**To use English to communicate in social settings.** A primary goal of ESL instruction is to assist students in communicating effectively in English. This goal does not suggest, however, that students should lose their native-language proficiency.	**Students will:** 1. Use English to participate in social interaction. 2. Interact in, through, and with spoken and written English for personal expression and enjoyment. 3. Use learning strategies to extend their communicative competence.
2	**To use English to achieve academically in all content areas.** English competence is critical for success in school settings. Students are expected to understand content in English and compete academically with native-English-speaking peers. This process requires that learners use spoken and written English in their schoolwork.	**Students will:** 1. Use English to interact in the classroom. 2. Use English to obtain, process, construct, and provide subject matter information in spoken and written form. 3. Use appropriate learning strategies to construct and apply academic knowledge.
3	**To use English in socially- and culturally-appropriate ways.** Students need to be able to understand and appreciate people who are different, culturally and linguistically, and communicate effectively with them. Such communication includes the ability to interact in multiple social settings.	**Students will:** 1. Use the appropriate language variety, register, and genre according to audience, purpose, and setting. 2. Use nonverbal communication appropriate to audience, purpose, and setting. 3. Use appropriate learning strategies to extend their sociolinguistic and sociocultural competence.

Source: Teachers of English to Speakers of Other Languages (TESOL)

Although the TESOL standards can be very useful, they do not provide as much detail as educators need to ensure that ELLs achieve high standards in all content areas. World-class Instructional Design and Assessment (WIDA), a consortium that has grown from three states – Wisconsin, Delaware, and Arkansas – to include Rhode Island, Vermont, New Hampshire, Maine, Illinois, and the District of Columbia, has created specific standards for ELLs which serve as a bridge to high standards for all learners. The WIDA standards are clustered around grade-level groupings and levels of language acquisition and literacy development. Listed below is one section of the WIDA Reading Standards for ELLs.[2]

Sample WIDA Standards for ELL Students

Domain: **READING** — process, interpret, and evaluate written language, symbols, and text

Grade Level Cluster	Level 1: Entering	Level 2: Beginning	Level 3: Developing	Level 4: Expanding	Level 5: Bridging
K-2	Identify environmental print (such as signs around school or the community)	Extract information from environ-mental print (such as signs, bulletin boards, or menus).	Restate information found in visually-supported print (such as school schedules, field trips, or celebrations).	Summarize information found in visually- supported print on classroom or school activities.	Interpret rules and procedures (such as from the classroom or school).
3-5	Identify topics from pictures, words, or phrases (such as daily routines associated with time periods).	Identify explicit messages from visually-supported, nontechnical text (such as from language experience stories).	Identify main ideas from visually-supported explicit text (such as from school permission slips, notes about school events).	Identify main ideas and major details (such as from school announce-ments, dress or discipline codes).	Make inferences about main ideas and use details as supporting evidence (such as from comic books).
6-8	Locate facts or information on socially-related topics (such as the school dance). Match everyday information to visuals.	Connect facts or information on socially-related topics to examples. Identify main idea from everyday information supported by visuals.	Compare/contrast facts or information on socially-related topics. Summarize everyday information, supported by visuals (such as on billboards, ads, or instructions).	Interpret facts or information on socially-related topics. Identify details or related information that support the main idea.	Apply facts or information on socially-related topics to new situations. Infer what to do based on everyday information.
9-12	Identify text features or web resources used for assignments (such as titles or authors).	Match text features or web resources with their uses for assignments (such as using Table of Contents to find topics).	Match types of books or web resources with information needed for assignments.	Use text features or web resources to confirm information for assignments (such as indexes or glossaries).	Scan entries in books or websites to locate information for assignments.

Source: WIDA Consortium: English Language Proficiency Standards for English Language Learners in Kindergarten Through Grade 12.[3]

ELL-Inclusive Assessment and Accountability

It is necessary to determine when and how ELLs are to be included appropriately in an assessment and accountability system. Again, any test in English for ELLs is an English-language proficiency test, and cannot accurately reflect what ELL students know and are able to do in content area subjects. In other words, an ELL's lack of English-language proficiency will inevitably compromise his or her performance in a content area assessment. This, however, is not a reason in itself to exclude students from assessment.

One way to include ELLs in assessment is to offer accommodations, although this is a temporary and less-than-ideal way to address ELL assessment needs.

Accommodations should not be used in lieu of reliable and valid ELL assessment instruments and procedures if the latter are unavailable.

To mitigate invalid data and inappropriate placement, teachers, administrators, and school leaders may use the steps and strategies listed in the ELL-Inclusive Assessment and Acountability Checklist below when considering how to include ELL students in an assessment system. Once an overall inclusive system has been developed, it will become necessary to consider specific accommodations.

Checklist 3.1
ELL-Inclusive Assessment Accountability

- ❑ What would be the most beneficial system(s) of accountability to ensure that ELLs are making progress in what they know and can do in important content areas?
- ❑ What type of assessment can be used to document ELL progress?
- ❑ Are the assessments culturally responsive?
- ❑ Are the criteria for designation of a student as an ELL clear and consistent to ensure appropriate decision-making?
- ❑ Have ELL standards been developed and adopted?
- ❑ Do the ELL standards serve as a bridge to high standards for all learners?
- ❑ Is the curriculum for ELL students developed to serve as a bridge to high standards for all learners? Have content teachers collaborated in developing the ELL curriculum?
- ❑ Are ELL standards embedded in the standards for all learners? How are ELL standards embedded? Have ESL and bilingual specialists served on the committees that developed and/or adopted high standards for all learners?
- ❑ Have alternative assessment systems, such as native-language assessments or portfolios, been created which measure ELL students against the same standards as all students to yield the most accurate information about ELL abilities and knowledge?
- ❑ Has a policy been established for the appropriate inclusion of ELL students in all assessments?
- ❑ Are assessment procedures for inclusion of ELL students sufficiently detailed and clear to be implemented appropriately?
- ❑ Is there a clear designation of responsibility for ensuring that ELL students are included appropriately in assessments?
- ❑ Do all educators and parents in the school know the testing policy for ELL students, and do they understand why there is a different procedure?

Source: National Council of La Raza.

Sample Testing Accommodations for ELLs

Condition	Accommodations
Some children require longer response times. They process information more slowly in a less familiar language.	◗ Extended testing time (same day) ◗ Extended testing time (other days) ◗ Time of day most beneficial to student ◗ Frequent or extra breaks
Some children may be easily disturbed by noise and other distracting testing conditions.	◗ Preferential seating ◗ Individual administration ◗ Small group administration ◗ In a separate location
Some children do not do well with structured testing items, that is, being tested when everyone else is being tested.	◗ Individual administration ◗ Small group administration ◗ In a separate location ◗ Flexible testing schedule
Some children become exhausted faster than others when being tested, especially from having to translate questions and answers from one language to another.	◗ Frequent or extra breaks ◗ Assessment divided into smaller sections and given over an extended time period.
Some students may not have a level of English oral proficiency or literacy adequate to comprehend the instructions or questions. Native-English-speaking test administrators may intimidate some children.	◗ Translation of directions ◗ Explanation/clarification of directions ◗ Repetition of directions ◗ Oral reading of questions in English ◗ Oral reading of questions in native language ◗ Translation of test into native language ◗ Bilingual version of test ◗ Simplified/sheltered English version of test ◗ Student can respond in native language ◗ Student dictates answers ◗ Student provided with a word list or dictionary (native language, bilingual and/or English) ◗ Person familiar with student administers test ◗ Use native-language audiotaped instructions with the student being tested
Some students may not be familiar with testing procedures and conditions.	◗ Prior to testing, provide the student with workshops conducted in native language on testing, and practice the testing conditions ◗ Prior to testing, show the student how to use a dictionary or calculator

Source: Rivera, C. and C. Stansfield, *Test Accommodations for LEP Students,* 2001.

It is important to identify what accommodations are permitted by your SEA. The following website provides state data on permissible accommodations and exemptions: http://ceee.gwu.edu/lepstatepolicyreport/search.asp. Sample Testing Accommodations for ELLs are provided on page 30.

There are a number of issues that should be addressed when using a specific test instrument with ELLs. Accommodations must not affect the validity of the assessment to which they are applied. The questions below serve as a guide for decisions on the types of accommodations that may be appropriate for a specific test instrument.

Checklist 3.2
Determining Appropriate Accommodations for Assessments

- ❑ Has the test maker described accommodations that are appropriate with respect to validity?
- ❑ Have the accommodations selected been validated for use through research?
- ❑ Which ELL student needs are addressed through accommodations?
- ❑ Are the recommended accommodations culturally responsive?
- ❑ Is there a comparable test instrument available that is appropriate for ELL students who do not require accommodations?
- ❑ Does the school serve a sufficient number of speakers of one language so that it is feasible to use native-language assessments as an accommodation?
- ❑ Does the native-language assessment instrument measure the same knowledge and skills as the English-language test?

Source: National Council of La Raza.

Using Assessment Data to Inform Instruction

Much attention has been given to large-scale assessment as a part of legal compliance.[4] This should not be done at the expense of focusing on translating test results into data that can help educators improve instruction. The ability to use information to improve ELLs' instruction is dependent on the quality and specificity of the information generated. For example, a reading test should tell you something about the skills that make up the reading process so that an administrator, teacher, or parent can pinpoint students' weaknesses and provide the necessary remediation or assistance.

The intended audience should guide the form in which large-scale assessment outcomes are presented or reported. School leaders and administrators need assessment data presented in a form that will allow them to identify trends for various groups of students so that they can make appropriate curriculum, professional development, and resource decisions.

In theory, it should be easy to use large-scale or standardized assessment data

to inform and improve instruction. In practice, it can be very difficult. One organization that has worked to streamline the process of using data effectively is the National Association of Elementary School Principals (NAESP). NAESP has put together a list of questions and steps which can help charter schools use standardized test data to inform instruction when the data are broken down according to standards.[5]

Charter schools should note that training or professional development is one of the three steps recommended by NAESP. Although the following questions and steps have been designed for elementary schools, they are useful for all K-12 schools administering standardized tests.[6]

Questions:

- How well did each student do on each standard?
- How well did each subgroup do on each standard?
- How well did each class do on each standard?
- How well did each grade level do on each standard?

Steps:

- Analyze test results as soon as they arrive.
- Conduct training and work sessions for teachers.
- Ask teachers to submit written action plans describing how they will improve instruction.

As listed by NAESP, teachers need detailed student data to help them assess the specific knowledge and skills that individual students and groups find challenging within the classroom setting. The information gained from classroom-based assessment will help teachers adjust instruction as needed.

Information from all key assessment outcomes should also be accessible to parents in a form that is understandable. The information should include test scores or outcomes, clear explanations about what the scores mean, and the educational implications for their children and for the school. The information should be presented in the parents' or guardians' primary language. If the parents or guardians do not possess literacy skills, then the information should be presented orally.

All stakeholders – school leaders, administrators, teachers, and parents – need training on how to interpret test results at both the individual and the school levels. Training should address how test results can be used to identify strengths and weaknesses in curriculum and instruction.

Reporting Assessment Data for ELLs

Reporting on assessment outcomes for ELL students requires additional considerations beyond the standard reporting process. Language ability is entwined with content knowledge, so it is important to report on the language in which the child was tested. When scores are reported for assessments in

which ELL students are a subset, it is important that the ELL test scores be disaggregated or reported out separately. Any use of different benchmarks of progress for ELL students should also be noted when scores are reported.

Checklist 3.3
Reporting ELL Assessment Data

- ❑ Is a policy established on which assessment outcomes from large-scale and classroom assessments are reported, to whom they are reported, and how they are reported?
- ❑ Are procedures established for reporting assessment outcomes and assignment of staff responsibilities? For example, do classroom teachers or ESL teachers report outcomes to parents? If translators are to be used to report results, have they been trained to understand assessment outcomes?
- ❑ Is a system established for reporting disaggregated results according to race, ethnicity, gender, English-language proficiency, disability status, migrant status, and socioeconomic status?
- ❑ Is a system established for reporting large-scale test results to the local education agency (LEA) and state education agency (SEA)?
- ❑ Are large-scale assessment outcomes reported to the community as an accountability measure and to garner support?
- ❑ Are key assessment outcomes, both large-scale and classroom-based, reported to parents or guardians in a:
  - a) culturally-responsive manner?
  - b) language and form they understand?
  - c) timely manner?
- ❑ Are the assessment data used to inform instruction? Are instructional modifications made based on the assessment data?
- ❑ Are both certified and noncertified educational personnel (teachers and paraprofessionals) trained to understand, analyze, and use a variety of large-scale and classroom-based assessment outcomes to inform instructional and school-based decisions?
- ❑ Is a process established for reassessing students if the test results for an individual learner or a group of learners seem to be inconsistent with their performance in the classroom?
- ❑ Are the assessment data maintained longitudinally? In other words, are the data collected over time so that an individual's outcomes and progress can be adequately measured?

Source: National Council of La Raza.

CHAPTER 4

Informal Classroom-Based Assessment

In the classroom of an effective teacher, informal assessment is continual, yet this may be difficult for observers to detect. It doesn't look like testing. It isn't isolated or announced. Informal assessment is detectable in the way the teacher pays close attention to students and to their work and in the way the teacher continually monitors student activity and progress, noting what adjustments could advance learning.

Basic Tenets of Informal Classroom-Based Assessment

Informal assessment can take place in a classroom, or at the school, local education agency (LEA), or state education agency (SEA) level. Informal assessment is especially useful and informative for teachers working with ELLs. At the school, LEA, and SEA levels, the informal assessment can be used both to modify and to improve the curriculum, instruction, and teacher education. Artifacts or items that have been gathered as part of informal classroom-based assessment can be used at the LEA or SEA level. For example, an SEA committee working on revising the state's writing curriculum can use pieces of writing that teachers have collected. The committee's analysis of these writings can help them determine how the curriculum should be modified.

At the classroom level, informal assessment can provide teachers with the information necessary to tailor instruction to meet the individual needs of learners. Teachers can use informal assessment techniques to determine how well their students are achieving the curricular objectives, and to support their progress.

Through informal classroom-based assessment, teachers will notice when ELLs need extra practice to meet an objective, and when they are able to tackle more challenging academic materials. Informal assessment can be divided into two main types: unstructured (e.g., student work samples, journals) and structured (e.g., checklists, observations). The range of possible informal assessment activities is limited only by the creativity of educators and students.

Listed below are some benefits and drawbacks of informal assessments of ELLs.[1] The potential drawbacks of informal classroom-based assessment are noted by various stakeholders, including students, parents, teachers, school leaders, and administrators.

Benefits of Informal Assessments for ELLs

- ✍ Provide opportunities for students to give complex, multifaceted answers instead of simplistic responses.
- ✍ Can be developed for all languages of instruction.
- ✍ Can be administered on an ongoing basis.
- ✍ Can be easily adapted to meet the needs of ELLs.
- ✍ Allow for different response options.
- ✍ Allow for higher-order tasks.
- ✍ Allow for flexibility and creativity.
- ✍ Allow for student discussion, presentation of work, and reflection.

Limitations of Informal Assessments for ELLs

- ✍ Are not always aligned with the curriculum and accountability assessments.
- ✍ Often lack "concrete" benchmarks.
- ✍ Do not often reflect what is tested in formal assessments.
- ✍ May overlap with other forms of assessment.
- ✍ Scoring practices are often not standardized; the way one teacher scores or rates a learner's work may be very different from another teacher's methods for rating the same work.

Structured Informal Classroom Assessment

Structured methods of informal assessment can become reliable and valid when "scoring" procedures have been carefully developed and field-tested. Structured assessments can focus upon particular behaviors, products, skills, or learning goals. Listed below are techniques that can be used to provide the necessary structure to create reliable and valid assessments at the classroom, school, LEA, and SEA levels.

Table 4.1
Structured Informal Assessment Techniques

Technique	Description
Checklists	Checklists specify student behaviors or products expected during progression through the curriculum. The items on the checklist may be content area objectives. A checklist is a type of observational technique. Because observers check only the presence or absence of the behavior or product, checklists generally are reliable and relatively easy to use. Used over time, checklists can document students' rate and degree of accomplishment within the curriculum.
Cloze Tests	Cloze tests are composed of text from which words have been deleted. Students fill in the blanks based on their comprehension of the context of the passage. The procedure is intended to provide a measure of reading comprehension. Cloze tests may also be designed to assess specific aspects of grammar such as the use of past tense verbs or articles (a, an, the).

cont'd on page 37

Structured Informal Assessment Techniques - cont'd from page 36

Technique	Description
Criterion-referenced Tests	Criterion-referenced tests are sometimes included as a type of informal assessment, which is tied directly to instructional objectives, measures progress through the curriculum, and can be used for specific instructional planning. Criterion-referenced tests are often developed locally in order to reflect a particular curriculum. Student performance is evaluated relative to mastery of the objectives, with a minimum performance level being used to define mastery.
Rating Scales or Rubrics	This is an assessment technique often associated with observation of student work or behaviors. Rather than recording the "presence" or "absence" of a behavior or skill, the observer subjectively rates each item according to some dimension of interest. For example, students might be rated on how proficient they are on different elements of an oral presentation to the class. Each element may be rated on a 1 to 5 scale, with 5 representing the highest level of proficiency.
Questionnaires	A questionnaire is a self-report assessment device on which students provide information to the teacher. Questionnaire items can be written in a variety of formats and may be forced-choice (response alternatives are provided) or open-ended (students answer questions in their own words). Questionnaires designed to provide alternative assessments of achievement or language proficiency may ask students to report how well they believe they are performing in a particular subject, or to indicate areas in which they would like more help from the teacher. For a questionnaire to provide accurate information, students must be able to read the items, have the information to respond to the items, and have the writing skills to respond.
Miscue Analysis	This is an informal assessment of strategies used by students when reading aloud or retelling a story. Typically, students read a grade-level passage (e.g., 250 words) while a teacher follows along with a duplicate copy of the passage. The student may be tape-recorded. Each time an error occurs, the teacher circles the word or phrase. A description of the actual errors can be taken from the tape after the session and then analyzed for errors in pronunciation, sentence structure, vocabulary, use of syntax, etc. The patterns of errors can then be used to determine the type of instruction that the learner needs.
Structured Interviews	Structured interviews are essentially oral interview questionnaires. Interview questionnaires are also known as interview guides or protocol. Used as an alternative assessment of achievement or language proficiency, the interview can be conducted with a student or a group of students to obtain information of interest to a teacher. As with written questionnaires, interview questions could be forced-choice or open-ended. Because the information exchange is entirely oral, it is important to keep interview questions (including response alternatives for forced-choice items) as simple and to-the-point as possible.

Source: Excerpt from National Clearinghouse for English Language Acquisition (NCELA), Informal Assessment in *Educational Evaluation: Implications for Bilingual Education Programs*. Washington DC: 1990.

Unstructured Informal Classroom Assessment

Unstructured methods of assessment can provide a great deal of valuable information about the skills of children, particularly in the area of language proficiency. Unstructured techniques for assessing students can run the gamut from story-writing to game-playing, and can include both written and oral activities. It should be noted that unstructured methods can be difficult to score and evaluate. Moreover, unstructured assessment methods may overlap. Listed below are adaptations of unstructured classroom assessment techniques.

Table 4.2
Unstructured Informal Assessment Techniques

Technique	Description
Writing Samples	When students write on specific topics, their products can be scored by using rubrics. Other creative writing samples that can be used to assess student progress include newspapers, newsletters, collages, graffiti walls, scripts for a play, and language experience stories as well as narrative, exploratory, fiction, and nonfiction writing. In order to document progress it is important to keep samples throughout the year and not to rely on memory of how well learners performed specific tasks.
Homework	Any written work students do at home can be gathered and used to assess student progress. With teacher guidance, students can participate in diagnosing and correcting their own errors. In addition, students' interests, abilities, and efforts can be monitored across time. Some examples are a writing notebook, reading log/journal, and observation log.
Logs or Journals	An individual method of writing. Teachers and peers can review journals on a daily, weekly, or quarterly basis to determine how students perceive their own learning processes as well as how they might shape their ideas and strengths for more formal writing that occurs in other activities. Some examples are personal journals, learning journals/logs, and double-entry reading logs.
Games	Educational games can provide students with opportunities to practice their skills in various areas such as math, spelling, and social studies. Teachers can observe how well students use different skills as they play a variety of educational games.
Oral Presentations	Students' oral work can be evaluated informally by observing their oral presentation skills in terms of their ability to understand concepts and present them to others in an orderly fashion.
Brainstorming	This technique can be used successfully with students of all ages to tap prior knowledge in building new knowledge. Students often feel free to participate because there is no criticism or judgment. Teachers can assess the type of content information that students possess.

cont'd on page 39

Unstructured Informal Assessment Techniques - cont'd from page 38

Technique	Description
Story Retelling	This technique can be used in either oral or written formats. Story-retelling can reveal a wide range of language-based abilities. Recall is part of retelling, and teachers can use it to determine whether children understand the point of the story, and what problems they have in organizing the elements of the story into a coherent whole. Although recall is a part of storytelling, teachers should demand that learners use higher order thinking skills when they retell stories. This type of exercise also can be used to share cultural heritage when children are asked to retell a story in class which is part of their family heritage.
Anecdotal Records	This technique can be used by teachers to record classroom behaviors and students' progress. These comments can include behavioral, emotional, and academic information. For instance, "Jaime sat for five minutes before beginning his assignment." These should be written carefully, avoiding judgmental words, and are usually written immediately after the behavior has occurred.
Naturalistic	Related to anecdotal records, this type of observation may take the form of notes written at the end of the day by a teacher. They may record what occurred on the playground, in the classroom, and among students, or may just reflect the general classroom atmosphere.
Exhibits	An exhibit is a presentation of work that has been developed over a period of time. It is an in-depth project that can be molded and shaped by the student. Rubrics are established for each exhibit project, students maintain a working timeline, and a presentation time is scheduled when the student is asked to discuss, defend, and make plans to develop the work further.
Other Items	There are many different types of work that learners produce in the classroom. These can include, but are not limited to, semantic maps or webs, timelines, outlines, lab reports, and research projects.

Source: Excerpt from NCELA, *Informal Assessment in Educational Evaluation: Implications for Bilingual Education Programs*. Washington, DC: 1990.

Scoring Assessments for Unstructured Activities

There are many different ways to score unstructured activities. To ensure that the scoring of ELL work is culturally responsive, all techniques for scoring should be piloted with students from the represented cultural and linguistic groups. Different tasks can be tried out with students who represent the different cultural and linguistic groups. Whenever possible, a teacher who represents, is informed of, or is aware of the students' cultural and linguistic background can work toward developing culturally responsive methods of scoring the unstructured activities.

Listed below are some techniques that can be used in a classroom or at the school, LEA, and SEA levels.

Table 4.3
Scoring Assessments for Unstructured Activities

Technique	Description
Holistic Rubric	A guided procedure for evaluating performance (oral or written) as a whole rather than by its separate linguistic, rhetorical, or informational features. Evaluation is achieved through the use of a general scoring guide that lists detailed criteria for each score. Holistic judgments are made on the closest match between the criteria and the students' work.
Primary Trait	A modified version of holistic scoring. The most difficult of all holistic scoring procedures, its primary purpose is to assess a particular feature(s) of a discourse or a performance (oral or written) rather than the student's work as a whole. A primary trait could be the development of main ideas.
Analytic Rubric	A complex version of holistic scoring; students' work is evaluated according to multiple criteria, which are weighted based on their level of importance in the learning situation. For example, a writing sample can be assessed on organization, sentence structure, usage, mechanics, and format. Each criterion is rated on a 1 to 5 scale (1 = low and 5 = high). A weighting scheme then is applied. For example, the organization of an essay can be weighted six times as much as the format, sentence structure five times as much as format, and so on. This procedure can be used for many purposes such as diagnostic placement, reclassification and exiting, growth measurement, program evaluation, and educational research. A drawback is that sometimes students produce fragmented writing because they are trying to hit all elements within the analytic rubric.
General Impression Markings	The simplest of the holistic procedures. The raters score the papers by sorting them along a continuum such as "excellent" to "poor," or "acceptable" to "unacceptable." Critical to this approach is that raters become "calibrated" to reach consensus by reading and judging a large sample of papers.
Error Patterns	The assessment of students' written work or mathematical computations. Scoring is based on a criterion that describes the process or continuum of learning procedures that reflect understanding of the skill or concept being assessed. A minimum of three problems or written assignments are collected and assessed to ensure that a student's error is not due to chance. For example, students may use pronouns incorrectly. It is not uncommon for a Spanish-speaking child to say or write, "My mother made breakfast for his son." The teacher would look to see if this error was an isolated incident or part of a pattern.
Assigning Grades	The "old standard." Students are assigned a number or letter grade based on achievement, competency, or mastery levels. Grades can be pass/fail or can reflect letter grades, such as A to F. The major limitation of this scoring procedure is that grades do not provide any information on the strengths or weaknesses in a content area. In addition, the U.S. standard of letter grades can be culturally unresponsive and meaningless to ELLs who are not familiar with the A-F system.

Source: Excerpt from NCELA, *Informal Assessment in Educational Evaluation: Implications for Bilingual Education Programs.* Washington, DC: 1990.

Portfolio Assessment

Portfolio assessment can be used with both structured and unstructured informal assessments. A student portfolio is a purposeful, chronological collection of student work, designed to reflect student development in one or more areas over time, and student outcomes at one or more designated points in time. Portfolio assessment develops a longitudinal portrait of what the student can and cannot do in the area(s) identified. Portfolios include rubrics to evaluate when a student is at a particular academic level, compartments where students and teachers can place exemplary work that demonstrates the particular skill addressed in the rubrics, and timetables that establish when student work should be collected and added to the portfolio. Many times, portfolios include a student reflection about his or her own learning (metacognitive tasks), which allows the student to monitor/ assess his or her own learning process. Teachers, students, and parents need training on the use and evaluation of portfolios. Portfolio systems that allow time for teacher discussion of student work with students, other teachers, and parents are the most successful. Below is a table listing the benefits and drawbacks of using portfolio assessments with ELLs.

Table 4.4
Benefits and Drawbacks of Using Portfolio Assessment for ELLs[2]

Benefits	Drawbacks
◗ Portfolios can be used for all content areas. ◗ Portfolios can be used regardless of the language or dialect of instruction. ◗ Portfolios can be used with students at all stages of language and literacy acquisition. ◗ Portfolios can be used to show individual student growth over time. ◗ Portfolios can be used to show areas where students excel, as well as areas where improvement is needed. ◗ Portfolio instruction can easily take into account the cultural and linguistic needs of learners.	◗ It can be difficult to determine which specific items should be included in a portfolio. Portfolio contents can be overwhelming. ◗ It can be difficult to quantify and report the results of portfolio assessment. ◗ It can be time-consuming to maintain and assess individual portfolios. ◗ It can be difficult to establish standards for assessing specific items. ◗ It can be difficult and time-consuming to train teachers to assess individual items within a portfolio. ◗ It can be difficult to ensure that portfolio assessment is used across grade levels to show growth over several years. It requires professional development and teacher collaboration.

CHAPTER 5

Putting it All Together: A Comprehensive Assessment Plan

The information provided in the first four chapters of this guidebook focuses on assessment as a tool to support high achievement. Once school staff have become familiar with the basic assessment issues, they are ready to implement an assessment plan. This chapter summarizes information presented in Chapters 1 through 4, and outlines the assessment plan purposes.

Basic Tenets of a Comprehensive Assessment Plan

The purpose of the assessment plan is twofold:

1) The assessment plan is necessary for state/ charter/ federal compliance. Without a comprehensive plan in place, it will be difficult to ascertain whether or not your school has complied with all of the applicable state, charter, and federal regulations.
2) The assessment plan and assessment data can drive your school's Professional Development (PD) Plan for instructional personnel and leaders.

The assessment plan can be a powerful tool to teach instructional personnel and leaders about assessment protocols and routines. The plan should be customized for your circumstances including resources, achievement goals, compliance requirements, and parent and community expectations. The plan should have input from all stakeholders but should be driven by students' learning needs. Most importantly, it should have the full support and understanding of those who will implement it.

Once all compliance requirements are met and stakeholders have been provided with appropriate assessment information, it is important to reexamine the assessment plan frequently and track how it is being used to inform decisions about students' learning needs. Such needs should drive school priorities.

Steps Necessary for Implementing a Comprehensive Assessment Plan

Understanding and using assessment appropriately with ELLs is complex, especially when accountability consequences are taken into consideration. The steps outlined below will assist teachers, school leaders, and

administrators in integrating the information from the previous chapters in the development or reevaluation of assessment and accountability systems that meet the needs of ELLs. The four steps are: 1) determine school assessment needs and capacity, 2) train assessment and instructional personnel, 3) create an exemplary assessment plan inclusive of ELLs, and 4) collect and maintain data for ELLs.

Step 1: Determine School Assessment Needs and Capacity

It is necessary to determine the school's assessment needs and the capacity at the school to address those needs. Listed below are questions that will help to determine the school assessment needs and capacity. When using this checklist, be aware of the state, charter authorizer, and federal requirements for ELL assessment.

Checklist 5.1
School Assessment Needs and Capacity

Are the necessary assessment instruments and training available at the school?

- ❑ Identification for ELL services
- ❑ Appropriate exit criteria from ELL services
- ❑ Criteria for monitoring classroom performance
- ❑ Language proficiency
- ❑ Placement in special programs such as Special Education and Gifted and Talented
- ❑ Program accountability, e.g., programs such as math, language arts, science, or a program designated specifically for ELLs
- ❑ Accountability for state and federal purposes
- ❑ Valid and reliable assessment instruments for use with ELL students.
- ❑ Training component accompanies commercially-acquired or state-provided tests for language proficiency and academic content assessment
- ❑ Assessment training offered as part of the school's general professional development

Have instructional and assessment personnel received the professional development necessary to:

- ❑ Determine whether available assessments are valid and reliable for ELL students?
- ❑ Understand and explain purpose(s) and appropriate administration of the assessments?

cont'd on page 45

- ❑ Determine and administer the accommodations that ELLs require to participate in academic content assessments?
- ❑ Interpret and analyze academic content assessment outcomes to improve instruction?
- ❑ Interpret and analyze language proficiency assessment outcomes to adapt instruction?
- ❑ Explain both the process and outcomes of all assessments to parents, key community stakeholders, and, when applicable, students?
- ❑ Make all instruction and assessment culturally responsive?

Are instructional personnel:

- ❑ Able to describe and support the school's assessment plan?
- ❑ Aware of the school's assessment training component?
- ❑ Taking advantage of the assessment training component?

Is the administrator or assessment coordinator able to:

- ❑ Identify both people and written sources of information about assessment to train school staff?
- ❑ Identify and describe ELL language proficiency and academic content assessment issues?

Are there sufficient and designated personnel:

- ❑ Trained on the use and maintenance of the record-keeping or information technology system for assessment data?
- ❑ To administer assessments?
- ❑ To collect and maintain assessment data?
- ❑ To keep up to date with district, state, and federal regulations for the assessment of ELLs?
- ❑ To interpret and analyze academic content assessment outcomes to improve instruction?

Is there a record-keeping system or an information technology system in place:

- ❑ For reporting necessary information to students, parents, teachers, and LEA and SEA officials?
- ❑ For monitoring progress of students and groups of students?
- ❑ For reporting disaggregated data which allows analysis of assessment outcomes to improve instruction?
- ❑ That provides student data to decision-makers who use it to improve instruction?

Source: Adapted from Baca, L. and H. Cervantes, *The Bilingual Special Education Interface,* 2003.

Step 2: Train Assessment and Instructional Personnel

After determining the school's ELL assessment needs and capacity, the next step is to provide the necessary resources to address these assessment needs and capacity issues.

Often schools do not have adequate numbers of trained personnel to administer assessments or fully to implement the assessment plan. Training should include not only information on how to administer assessments, but also general understanding of why the assessment is being administered and how outcomes will be used. It is also necessary for personnel to know how to collect and maintain assessment data.

Professional Development Activities on Assessment Should:

- ✍ Include administrators, teachers, and all other instructional personnel who administer assessments or use/ need assessment data.
- ✍ Be meaningful to the participants.
- ✍ Help create "buy-in" where participants see the importance and relevance of the assessment plan.
- ✍ Show participants how to prepare students for the test formats.
- ✍ Provide participants with hands-on opportunities to practice using assessment data to improve instruction.
- ✍ Provide participants with opportunities to learn about all aspects of school-based assessment, from test administration to interpretation of results.
- ✍ Demonstrate how to use assessment outcomes (formal and informal) to improve instruction to diverse students.
- ✍ Include information needed for both large-scale and classroom-based assessment.

Step 3: Create a Comprehensive Assessment Plan Inclusive of ELLs

While charter schools and traditional schools navigate the compliance requirements to assess ELLs, there is very little research and documentation available on exemplary ELL assessment plans. As mentioned earlier, nationwide assessment systems are in the developmental stages. As states, school districts, and schools gain more experience in the assessment of all students, exemplary assessment plan models will emerge.

Information on the elements of effective assessment systems for ELLs is emerging in some parts of the country. Entities that have historically served large numbers of ELLs, such as the Philadelphia School District and the Texas Education Agency, have developed resources to help educators implement assessment programs for ELL students. The Philadelphia School District has integrated ELL assessment strategies into its Curriculum Framework, which can be accessed at:
http:// www.philsch.k12.pa.us/ teachers/ frameworks/ grid/ gridmast.htm

The Language Proficiency Assessment Committee of the Texas Education Agency has created a very useful guide, which can be accessed at: http:// www.tea.state.tx.us/ student.assessment/ resources/ guides/ lpac/

The following elements can be used to guide the development or advancement of a charter school's ELL assessment plan.

Checklist 5.2
Elements to Consider in Developing a Comprehensive Assessment Plan[1]

Assessment Tool Characteristics

- ❑ Tests are normed on individuals whose first language is not English.
- ❑ Tests are available in other languages.
- ❑ Purposes of assessments are clearly defined and differentiated as language proficiency or academic achievement.
- ❑ Tests are checked for reliability, validity, and cultural responsiveness.

Assessment Administration

- ❑ Students are familiarized with testing formats.
- ❑ All students, including ELLs, are included in assessments.
- ❑ Assessment guidelines, practices, and procedures for teachers, students, and parents are clearly written.
- ❑ Accommodations that are deemed appropriate for each student, including ELLs, are properly identified.
- ❑ Accommodations are clearly articulated and implemented.
- ❑ Designated trained personnel maintain, disaggregate, and update assessment data.

Assessment Plan

- ❑ Language proficiency assessments are included in the assessment plan.
- ❑ Teacher input is widely used at all levels of assessment, including input from teachers with ELL expertise.
- ❑ The assessment plan is reviewed on a regular basis.
- ❑ Professional development is an integral part of the assessment plan.

Assessment and Curriculum Alignment

- ❑ Curriculum standards, quality instruction, and assessment are all carefully aligned.

Assessment Outcomes

- ❑ ELL test scores are included in accountability reports.
- ❑ There is a system for accurate and reliable data maintenance.
- ❑ Information is disseminated in a timely and appropriate manner, and in languages understood by various audiences.
- ❑ Test results are disaggregated for ELLs, so that teachers and other stakeholders can easily determine the progress of these students.
- ❑ The assessment outcomes are presented in a format that will help:
  a) Classroom instructional personnel improve instruction.
  b) Curriculum developers improve the curriculum.

Professional Development

- ❑ Extensive professional development is provided for teachers, administrators, and parents on assessment of ELLs.
- ❑ Professional development is provided for personnel designated for record-keeping/ information technology system responsibilities.
- ❑ Stakeholders (including parents) are provided with information on what tests can and cannot do.

In addition to the elements described above, charter schools should also consider:

- ✍ Investigating which tests are mandated by the state and by the school district (if applicable).
- ✍ Investigating the policies concerning inclusion of English language learners in state and district assessments. Chapters 1-3 of this guide will help in formulating the questions that should be asked about state and district assessment policies and regulations.
- ✍ Using other charter schools, regional resource centers, and state education agency personnel and school districts as resources.

Step 4: Collect and Maintain Data for ELLs

Collecting and maintaining assessment data is critical. To provide the highest-quality instructional programs for ELLs, charter schools must maintain student-specific information over time. These data can then be used to inform the instructional practices in place. Ongoing professional development should be provided to ensure that instructional personnel make the best use of assessment data. In addition, all classroom teachers should develop and maintain a system for keeping informal records up to date.

Maintaining regular and accurate data allows stakeholders to make informed educational decisions about ELLs based on a collection of facts. The aggregated data (data reported as a whole) and disaggregated data (data divided into categories according to race, ethnicity, gender, English-language proficiency, disability status, migrant status, and socioeconomic status) allow for monitoring

student progress, informing instructional practices, and modifying the curriculum. The data also inform charter schools on whether or not educational goals set for ELLs have been met, advise staff on providing effective interventions for students who are not performing at the expected level, and assist teachers in providing instructional support across content areas.

There are many different ways that schools distribute the responsibilities associated with data-driven decision-making. For example, a high school in Washington, DC examines data in multiple forums.[2] The administrative team examines school-wide data to determine school-wide targets under the leadership of the principal. Each department monitors student achievement data within their content and subject area under the leadership of the department chair, and each teacher is held accountable for responding to department and school-wide targets in their evaluations with the school principal. At each juncture, data are collected, strategies for increasing student achievement are implemented, and a plan for data collection and assessment helps guide instructional practice. In another school, a teacher at each grade level maintains all of the formal and informal records for that grade level, in exchange for release from lunch duty or recess duty.

Effective ELL data maintenance is not only highly recommended, it is also a requirement established by Title III. Title III requires annual testing of ELLs and establishes regulations for assessment data collection and for comprehensive data dissemination. In addition, under Title I, test data must be gathered to allow for disaggregation by race, ethnicity, English proficiency, gender, and migrant, disability, and socioeconomic status.

Student demographics and assessment data can be used to create a more complete picture of student progress. For a comprehensive analysis, data should be disaggregated by subgroup as well as by individual. This facilitates students' getting the extra support they need to meet the standards, and makes it easier for students who are exceeding the standards to be referred for Gifted and Talented programs.

General Suggestions for Initiating a Data Maintenance Program

- Decide what data will be collected and maintained for the entire school (some data portfolios can be maintained at the classroom level).
- Set up timelines for consistent and regular collection of data, which will allow for the examination of student progress over time.
- Collect and establish baseline assessment data.
- Establish which information technology tool will be used to collect, maintain, and analyze data.
- Establish where the information will be kept, who will have access to it, and who will be responsible for data maintenance.
- Provide school personnel who are responsible for data maintenance with appropriate professional development regarding state, charter authorizer, and district practices, as well as the information technology tool.

This sample *ELL Student Data Checklist* will help you to collect the necessary data.[3]

Checklist 5.3
ELL Student Data

- ❑ Full name
- ❑ Gender
- ❑ Race
- ❑ Ethnicity
- ❑ Date of birth
- ❑ Entry date to school
- ❑ Home language survey (date)
- ❑ Assessment instrument used to identify ELLs
- ❑ Entry date to English-language support program
- ❑ Type of English-language support program student is enrolled in
- ❑ Years of previous schooling
- ❑ Socioeconomic status (Is the student receiving free or reduced-price lunch?)
- ❑ Migrant/ nonmigrant
- ❑ Special services provided/ Disability/ Gifted and Talented
- ❑ District/ state-mandated assessments (date taken, scores)
- ❑ Assessment Accommodations (if applicable)
- ❑ Classes and grades

The *Sample ELL Data Needed for NCLB Reporting Form*, below, may be used with students who have been identified as needing ELL services. The information on this form will be needed for NCLB reporting requirements. Note that this form does not contain the home language survey, the type of instrument used to assess language proficiency, the date of entry into English-language support programs, the type of English-language support program the student is enrolled in, and the years of previous of schooling. These data should be maintained separately.

Sample ELL Data Needed for NCLB Reporting Form

Full Name	Gender	Race	Ethnicity	DOB	Entry date in school	Free/ reduced-price lunch (Socio-economic level)	Migrant or Non-migrant	Special services-disability, gifted and talented

Assessment Data to be Collected and Maintained at Specific Times During the School Year:

- ✓ Annual student English-language proficiency scores
- ✓ Annual student academic achievement scores
- ✓ Accommodation information

Other Data Affecting Assessment (to be collected periodically):

- ✓ Student absenteeism
- ✓ Informal language assessment
- ✓ Informal content assessment
- ✓ Absence during testing periods

Conclusion

The main purpose of assessment and accountability systems is to improve the instruction that will impact student learning, and charter schools are uniquely positioned to use these systems in a manner that will assist them in taking into account the needs of all learners and providing excellent and appropriate educational services to English language learners. We encourage you to continue your exploration into the use of appropriate assessment strategies for ELLs, which will ultimately result in excellent, high-quality educational programs for all students.

ENDNOTES

Chapter One

1. For the complete text of the No Child Left Behind Act go online to www.ed.gov/ policy/ elsec/ leg/ esea02/ index.html
2. "Assessment Standards for English Language Learners," developed by the Council of Great City Schools and the National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs, available online at www.ncela.gwu.edu.
3. Adapted from materials developed for the Tertulia Precollege Community Charter School in Phoenix, Arizona, an affiliate of the National Council of La Raza.
4. Memorandum from Pottinger, J. Stanley to school districts with more than 5% national-origin-minority-group children, May 25, 1970.
5. Cohen, Linda, "Meeting the Needs of Gifted and Talented Minority Language Students," Council for Exceptional Children; *New Focus*, 1988.
6. Symposium summary, National Symposium on Learning Disabilities in English Language Learners, U.S. Department of Education, Oct. 14-15, 2004.
7. For a useful guide to resources and discussions on this topic see the website of the Council for Exceptional Children: www.ericec.org.

Chapter Two

1. See www.ed.gov/ nclb/ landing.jhtml.

Chapter Three

1. The TESOL Standards, developed with the support of the Center for Applied Linguistics, can be found on the web at www.tesol.org.
2. See www.wida.us/ Resources/ ELP-Standards_Classroom/ contents.html for these and other subject-area standards.
3. See www.wida.isbe.net/ bilingual/ pdfa/ elps_framework.pdf.
4. See, for instance, Kahl, Stuart R. and Kevin Sweeney, "Large-Scale Assessment: Choices and Challenges," Measured Progress, 2004. Issue paper online at www.measuredprogress.org/ Resources/ Publication.
5. Mayo, C. Russell and Constance T. Shotts, "No Child Left Behind: Meeting the Challenges," *Principal*, May/ June 2004, Vol. 83 No. 5.
6. For more on NAESP's questions and steps see www. naesp.org/ ContentLoad.do?content ID= 1246.

Chapter Four

1. Adapted from materials developed by the National Association of Bilingual Education.
2. Gomez, Emily Lynch, "Assessment Portfolios and English Language Learners: Frequently Asked Questions and a Case Study of the Brooklyn International High School," The Education Alliance of Brown University, 1999, available on the web at www.alliance.brown/ edu/ tdl.

Chapter Five

1. Baca, Leonard M. and Hermes T. Cervantes, "The Bilingual Special Education Interface," online at www.ldonline.org/ ld_indepth/ bilingual_ld/ esl ld eric.html.
2. For more information on Bell Multicultural High School see NCLR's *Líderes* website at www.lideres.nclr.org/ groups/ detail/ 620.html.
3. This checklist was developed for the District of Columbia Public Schools. For more information see www.k12.dc.us/ dcps/ ocr.

APPENDIX A

Glossary

Achievement Tests – These assessment instruments measure a student's attainment of specific knowledge, abilities, and skills (e.g., a classroom spelling test measures a student's ability to spell specific words).

Aggregate – A mass or body of units. Aggregated scores are contrasted with disaggregated scores.

AMAO (Annual Measurement Achievement Objective) – Title III of NCLB requires that limited-English-proficient students be assessed for English proficiency in kindergarten through grade twelve. The AMAOs are targets set by each state for English-language proficiency attainment as required by Title III.

Analytical Scoring – Individual or separate scores within a rubric. For example, written papers might include one individual score for mechanics and another for organization.

Anecdotal Records – Informal written comments based on student learning in the classroom. These records can be very useful when referring ELLs for special education services including Gifted and Talented programs.

Aptitude – A combination of characteristics, whether innate or acquired, that are indicative of a student's ability to learn or to develop proficiency in some particular area if appropriate education or training is provided. Aptitude tests include those of general academic (scholastic) ability; those of special abilities, such as verbal, numerical, mechanical, or musical; and tests assessing "readiness" for learning.

AYP (Adequate Yearly Progress) – AYP must be based on each state's academic standards and shall be measured primarily by the state assessments, and may include other measures. Under Title I, ELLs must be tested, to the extent practicable, in the language and form most likely to yield accurate results for them.

Benchmark – A measurement against a preestablished standard. It can be one standard in a series of standards toward an eventual goal such as high school graduation.

BICS (Basic Interpersonal Communication Skills) – Relates to conversational proficiency, as opposed to cognitive or academic proficiency, of students who are learning a second language.

Bilingual Education – An education methodology, usually for students for whom English is a second language, in which instruction to support English-language acquisition is provided with some amount of instruction in a student's native language. There are several different models of bilingual education; the most commonly known is dual-language where students generally receive half of their instruction in English and half in another language. Dual-language bilingual instruction is also popular in private or "international" schools where native English speakers are taught in a second language. (Also see *ESL*)

BINL (Basic Inventory of Natural Language) – An oral language test designed to measure oral language proficiency and dominance in students in grades K-12 whose first language is not English. It can be used to place and reclassify limited-English-proficient students.

BSM (Bilingual Syntax Measure) – The BSM I and BSM II measure second-language oral language proficiency with respect to the syntactic structures in English and Spanish. It is designed for students in grades K-12 whose first language is not English. It can be used to place and reclassify limited-English-proficient students.

CALP (Cognitive/ Academic Language Proficiency) – Relates to academic proficiency, as opposed to conversational proficiency, of students who are learning a second language.

Core Content – Refers to classroom lessons in subjects such as math, geography, language arts, biology, etc. as opposed to supplemental instruction to support English-language acquisition.

Criterion-referenced Tests – Describe the skills or performance that the student demonstrates. These tests are designed to compare a student's test performance to clearly defined learning tasks or skill levels (e.g., the student can add and subtract decimals but not fractions).

Diagnostic Tests – Describe the strengths and weaknesses of a student, and *the nature* of these strengths and weaknesses. They can be used to develop instructional programs for students (e.g., such a test can help determine that a child is weak in subtraction, therefore a program to improve the child's skills in this area can be designed).

Disaggregated – Data are divided into categories according to race, ethnicity, gender, English-language proficiency, disability status, migrant status, and socioeconomic status.

EAL – English as an Additional Language

ELD (English Language Development) – English language development refers to instruction designed specifically for limited-English-proficient students to develop their listening, speaking, reading, and writing skills in English. This type of instruction is also known as "English as a second language" (ESL) or "teaching English to speakers of other languages" (TESOL). ELD or ESL standards are a version of English language arts standards that have been crafted to address the specific developmental stages of students learning English.

ELL (English Language Learner) – A student whose first language is not English and who is in the process of learning English. (Also see *LEP*)

Error Patterns – This assessment is based on an analysis of student errors. A minimum of three problems or written assignments are collected and assessed to ensure that a student's errors are not due to chance.

ESL (English as a Second Language) – An educational approach in which limited-English-proficient students are instructed in the use of the English language. Instruction is based on a special curriculum that typically involves little or no use of the native language, focuses on language (as opposed to content), and is usually taught during specific school periods. For the rest of the school day, students may be placed in mainstream classrooms, an immersion program, or a bilingual education program. Every bilingual education program has an ESL component.

ESL Pull-out Instruction – In this model, eligible students are moved or "pulled out" to a separate classroom for one or more class sessions per week to work with an ESL/ bilingual education teacher to reinforce English-language acquisition and/ or subject matter content such as language arts or math.

ESOL – English for Speakers of Other Languages (See *ESL*)

Exit Criteria – Measures that are established to determine when a student has gained proficiency in English and is ready to transition to mainstream classes or no longer has a need for additional ESL support.

FEP (Fully English Proficient) – A student who has become fully proficient in English, but who may have needed additional classroom support in the past to progress academically. A learner possesses both conversational as well as academic English-language skills in order to be fully English proficient.

Gate-keeping Tests – Used to determine whether a student will be promoted or retained in grade, or whether or not a student will be allowed to graduate from high school. Many gate-keeping tests were not originally designed for this specific purpose.

General Impression Markings – The simplest of the holistic procedures. The raters score the papers by sorting papers along a continuum such as excellent to poor, or acceptable to unacceptable.

High-stakes Tests – Include gate-keeping tests and result in significant consequences for students or for schools (e.g., tracking, grade promotion, and graduation are consequences for students, while financial rewards or loss of accreditation are consequences for schools).

Holistic Scoring – Based on a single score for student performance. Frequently used in large-scale assessments of writing skills.

Inclusion – Generally refers to an education model which features collaborative team-teaching by general education teachers and special education or bilingual/ ESL teachers. The students remain in the mainstream class for instruction as opposed to being "pulled out" and taught separately.

Inclusive Education – Ensures that students in a school become part of the school community regardless of their cultural or linguistic background and strengths or weaknesses in any area.

IPT (IDEA Language Proficiency Tests) – The IPT is a battery of tests for students in grades K-12 whose first language is not English. They can be used to place and reclassify limited-English-proficient students. The IPT contains a reading and writing component, which can be group-administered.

LAB (Language Assessment Battery) – A test for students in grades K-12 whose first language is not English which is used to identify their level of English-language proficiency. It can be used to place and reclassify limited-English-proficient students.

Language Minority – Refers to any student for whom English is not the native language, or for whom a language other than English is spoken in the home. This includes students such as those who speak a dialect, Jamaican Patois, or a Native American language.

LAS (Language Assessment Scales) – A battery of tests for students in grades K-12 whose first language is not English. It can be used to place and reclassify limited-English-proficient students.

LCD – Linguistically and Culturally Diverse

LEP (Limited-English-Proficient) – A student who is limited-English-proficient (the official term found in federal legislation) and who needs additional classroom support to progress academically.

Mainstreaming – The placement of an educationally disabled or language minority student in a regular classroom. (Also see *Inclusion*)

Miscue Analysis – An informal assessment used when learners read or tell a story. The teacher tape-records the student and then later analyzes the errors that are made.

NCE (Normal Curve Equivalent) – A transformation of an original test result into a value on a scale from 1 to 99. NCEs are normalized scores with a mean of 50 and standard deviation of 21.06, chosen so that NCE value equals percentile value. They are used for comparisons across tests instead of percentiles.

NEP (Non-English-Proficient) – A student who is non-English-proficient has not yet begun acquiring or who is in the initial stage of learning English.

Norm-referenced Tests – Designed to compare a student's test performance to that of other students. The results are reported in percentile rankings (e.g., a student with a percentile rank of 80 scored equal to or better than 80% of his classmates).

OCR – The U.S. Department of Education's Office for Civil Rights, which is responsible for ensuring that programs supported by federal dollars comply with federal regulations and do not discriminate on the basis of race, color, or national origin.

PEP – Potentially English Proficient

Performance Assessments – Require students to create an answer or a product that demonstrates his/ her mastery of clearly defined learning tasks or skill levels (written essays, portfolios, or oral exams).

PHLOTE – Primary or Home Language Other Than English.

Portfolio – A purposeful, chronological collection of student work designed to reflect student development in one or more areas over time and student outcomes at one or more designated points in time.

Primary Trait Assessment – A type of scoring that focuses on a specific feature of oral or written language performance rather than student work as a whole. For example, it could focus on the learner's development of ideas within his/ her writing.

Reliability – (See *Test Reliability*)

SDAIE (Specially Designed Academic Instruction in English) – This is a program of instruction in a subject area, delivered in English, which is specially designed to provide LEP students with access to the curriculum through support. A requirement is that students be at the lower intermediate level of proficiency in English.

SLEP (Secondary Level English Proficiency Test) – The SLEP is intended for secondary students in grades 7 through 12, approximately, whose first language is not English. It consists of a listening comprehension and a reading comprehension section with multiple-choice items. The SLEP can be used as part of initial LEP designation.

Standardized Tests – Tests administered and scored under conditions uniform to all students. In addition to multiple-choice tests, oral and essay exams can be standardized measures. This is the format used for high-stakes tests.

TESOL – Teaching English to Speakers of Other Languages (See *ESL*)

Test Reliability – Refers to the consistency of test results for an individual student and whether or not one can generalize from these results (e.g., a student scores well on an exam but obtains a much lower score the following week on the same exam).

Test Validity – Refers to whether or not a test measures what it is designed to measure (e.g., a math test administered in English to students with limited English proficiency may not accurately measure math skills).

Title I – Federal legislation which provides funding to schools to raise the performance of disadvantaged students.

Title III – Federal legislation which provides funding to schools to ensure that English language learners and immigrant children and youth attain English proficiency and develop high levels of academic achievement in core academic subjects.

Validity – (See *Test Validity*)

Woodcock-Muñoz Language Survey – A test designed for Pre-K to adult students whose first language is not English. It is intended to provide information on a student's cognitive and academic language proficiency, that is, the extent to which the student commands the kind of language typically required in school.

APPENDIX B

Frequently Asked Questions about ELLs

What does federal law say regarding services for limited-English-proficient (LEP) students?
Students enrolled in U.S. public schools whose first language is other than English are considered language minorities and are protected by several federal laws.

First and foremost, these students enjoy equal protection as afforded under the Fourteenth Amendment of the U.S. Constitution.

They are also protected under Title VI of the Civil Rights Act of 1964, which prohibits discrimination in any federally-funded activity on the basis of race, color, ethnicity, national origin, religion, or creed.

In 1974, the Supreme Court decision in the landmark *Lau v. Nichols* case directed school districts throughout the nation to adequately serve limited-English-proficient students. While the Court mandated no single instructional program, school districts may provide bilingual instruction as a means of ensuring equal access to educational opportunities for ELL students.

Other federal laws – such as the current Title III of the Elementary and Secondary Education Act – were conceived to ensure the availability of funds to support the design and implementation of quality programs for LEP students.

What does Title VI of the Civil Rights Act of 1964 require for English language learner students?
Federal law requires programs that educate children with limited English proficiency to be based on a sound educational theory; adequately supported, with adequate and effective staff and resources so that the program has a realistic chance of success; and periodically evaluated and, if necessary, revised.

Does federal law require school districts to follow a particular educational approach, such as bilingual education?

No. The federal government through the Office for Civil Rights does not require or advocate a particular educational approach to the instruction of ELL students.

However, schools are out of federal compliance if language support programs are not provided for identified ELLs. While districts or schools have substantial flexibility when developing programs to meet the needs of ELL students, they should implement programs that are research-based.

What happens to ELL students who are not offered services to help them overcome language barriers?
ELL students who are not offered services to help them overcome language barriers may suffer repeated failure in the classroom, falling behind their English-proficient peers. ELLs not having access to rigorous coursework results in their being inadequately prepared to compete in the workforce, and is a leading factor in their dropping out of school. Students who are not proficient in English are inappropriately placed in, or excluded from, special education classes. In addition, because of their lack of English proficiency, qualified ELLs often do not have access to high-track courses or programs for gifted and talented students.

How long does it take ELLs to become proficient in English?
Children can very quickly develop conversational skills in English. This is often referred to as Basic Interpersonal Communication Skills (BICS), which children need to engage in social interactions. BICSs are very different from academic language skills, often referred to as Cognitive Academic Language Proficiency (CALP). CALP refers to the language skills that students must acquire in order to master academic content successfully. It can take ELL students three to ten years to develop academic language proficiency, depending upon their previous education and school experiences.

What is the difference between academic language proficiency and academic skill mastery?
A student has attained academic language proficiency in English when he has minimal or no difficulty with grade-appropriate English used in class, in texts, and on tests. A student has attained academic skill mastery when s/he understands the academic concepts taught and demonstrates the required academic skills.

What are a parent's or guardian's rights regarding their ELL child's education?
Federal law requires that all parents or guardians with children in federally-funded programs for ELL students be notified of why their children were selected for participation, provided with the alternatives to participation, and given the option of declining to enroll their children in a program for ELLs. This must be presented to parents in a language and manner that they can understand.

What if parents do not want their child to receive services to address their English needs?
Parents can opt not to have their children enrolled in a program designed to address the student's language and academic needs. When a parent declines participation, the district retains a responsibility to ensure that the student has an equal opportunity to have his or her English-language and academic needs met. Districts or schools can meet this obligation in a variety of ways (e.g., adequate training for all teachers on second-language acquisition, monitoring the educational progress of the student).

How long does a district or school have to provide special services to ELL students?
ELL students must be provided with alternative services until they are proficient enough in English to participate meaningfully in the regular instructional program. To determine whether a student is ready to exit, a district or school must consider such factors as the student's ability to keep up with non-ELL peers in the regular education program, and ability to participate successfully without the use of adapted or simplified English materials. Exit criteria must include a specific objective measure of a student's ability to read, write, speak, and comprehend English. Placement and exit assessments that are keyed to standards can facilitate placing students in, and exiting students from, programs.

What are some of the benefits of including ELLs in state/district-wide assessments?

- By including ELLs, states, districts, and individual schools are held accountable for the quality of educational opportunities and for establishing challenging performance expectations of all students.

- By including ELLs' test scores in the accountability systems, achievement gaps (if any) that exist among this student population and the general student population will be highlighted and, hopefully, addressed.
- The inclusion of ELLs will provide useful information about performance so that stakeholders know how well the school is addressing the needs of ELLs.
- State/ district test scores obtained may be used to supplement the information gathered by informal assessments, creating a more comprehensive picture of what ELLs know and are able to do.
- Assessments can be administered early in the school year, allowing for instructional achievement gaps and instructional/ curriculum modifications to be addressed early on.
- Assessments can be administered throughout the school year, providing periodical longitudinal data of ELL student achievement.
- Adequately disaggregated data allow teachers, school leaders, and parents to analyze trends to inform instruction and make informed decisions about resources and school programs.

What are some concerns regarding the inclusion of ELLs in state/district-wide assessments?

- Including ELLs when they are not ready will produce inaccurate and unreliable data.
- Some tests, especially those focused on memorization of facts, may have the unintended effect of narrowing the curriculum and instruction to meet the specification of the tests. This action may limit important curriculum goals such as generative thinking, critical thinking and other higher-order cognitive tasks, sustained effort over time, effective collaboration, etc.
- The assessments may reduce the time available for classroom instruction and lesson planning.
- The assessments may lead to the over-testing of students, considering that ELLs already participate in an increased number of tests for language proficiency.
- Assessments may set unrealistic goals for traditionally underserved student populations (such as ELLs) due to the time provided versus needed by ELLs to achieve the goal.
- If achievement tests are administered only in English, they do not allow ELLs to demonstrate all of their knowledge about a particular content area.
- ELLs are often unfamiliar with the format of standardized tests.
- The role of culture and language in test performance is not widely considered.
- Test reliability and validity are not always adequately addressed.

Do reading comprehension, math, and science tests administered to ELLs in English yield valid information about their skills in these areas?

When academic achievement tests are administered to ELLs in English, test performance is affected by limited English-language proficiency. Limited English may prevent students from demonstrating content area knowledge or skill. ELLs whose previous instruction was in a language other than English should be tested whenever possible in the student's previous language of instruction (e.g., Haitian student who speaks Creole but whose prior instruction was in French).

What is the difference between a norm-referenced test and a criterion-referenced test?

Norm-referenced tests measure the knowledge and skills of students throughout the country for purposes of comparison, while criterion-referenced tests measure knowledge and skills that are specifically taught within a state or school district. In other words, criterion-referenced tests are designed to measure how well a learner has mastered a specific body of knowledge or specific sets of skills that have been established, generally, by a state or school district.

APPENDIX C

Bilingual Educational Resources

Organization	Contact Information	Focus/Services
BUENO Center for Multicultural Education UCB 247, School of Education, Boulder, CO 80309	(303)-492-5416 Tel. (303) 492-2883 Fax http://www.colorado.edu/education/bueno	Promotes social justice, quality education, and a more equitable and diverse society through research, training, and service projects with an emphasis on cultural pluralism.
Center for Applied Linguistics 4646 40th Street, NW Washington, DC 20016	(202) 362-0700 Tel. (202) 362-3740 Fax info@cal.org http://www.cal.org	Seeks to improve teaching of English as a second/foreign language; promotes teaching of less commonly taught languages; and conducts research to enhance the educational process.
Center for Research on Education, Diversity and Excellence (CREDE) University of California, Santa Cruz 1156 High Street Santa Cruz, CA 95064	(408) 459-3500 Tel. (408) 459-3502 Fax crede@cats.ucsc.edu http://www.crede.ucsc.edu	Conducts and disseminates research in the areas of multicultural education, professional development, school reform, second language acquisition, standards, and more.
Intercultural Development Research Association (IDRA) 5835 Callaghan Road, Suite 350 San Antonio, TX 78228-1190	(210) 444-1710 Tel. (210) 444-1714 Fax contact@idra.org www.idra.org	Advocates educational excellence and equity through research and technical assistance for public schools serving students who are low income, minority, and English learners.
National Association for Bilingual Education 1030 15th St., NW Suite 470 Washington, DC 20005	(202) 898-1829 Tel. (202) 789-2866 Fax NABE@nabe.org http://www.nabe.org	Ensures equality of educational opportunity through research, professional development, public education, and legislative advocacy.
National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs at George Washington University 2121 K Street, NW, Suite 260 Washington, DC 20037	(800) 321-NCBE (202) 467-0867 Tel. (202) 467-4283 Fax askncela@ncela.gwu.edu http://www.ncela.gwu.edu/	Provides funding opportunities, technical assistance, links to resources, databases, success stories, lesson plans, e-mail discussion group, conference calendar, instructional strategies, toolbox for ELLs.
The Education Alliance at Brown University 222 Richmond Street, Suite 300 Providence, RI 02903	(401) 274-9548 Tel. (800) 521-9550 Tel. (401) 421-7650 Fax lab@brown.edu http://www.lab.brown.edu	Explores how education can better address the needs of culturally and linguistically diverse populations.
WestEd Teacher Professional Development Program (TPD) 730 Harrison Street San Francisco, CA 94107	(415) 615-3262 Tel. awalqui@wested.org http://www.wested.org	Strives to enhance and increase education and human development within schools by focusing on success for every learner.

APPENDIX D

NCLB Assessment Requirements for ELLs by English Language Proficiency level and years of U.S. school enrollment

Type of Assessment	Adequate Yearly Progress Assessment			Annual Measurable Academic Objective Assessment
Subject Area	Reading	Math	Science	English Proficiency
Implementation Year	2005-06	2005-06	2007-08	2002-03*
Administration grade	3-8 and 1 HS yr	3-8 and 1 HS yr	3-8 and 1 HS yr	K-12
How often administered	Annual	Annual	Annual	Annual while classified as NEP/ LEP**
Student A: New Arrival NEP/LEP student enrolled less than one year in U.S. schools and has attended current school for less than one academic year.	Optional reporting of scores. Optional assessment. Native-language assessments are optional.	Must be assessed using appropriate math instrument but states can choose not to count scores for AYP. The ED proposed new rules would allow states not to count in AYP determinations the scores of the recently-arrived students who take the reading/language arts and the mathematics assessments during that period. Native-language assessments are optional.	Must be assessed using appropriate science instrument. Optional reporting of scores. Native-language assessments are optional.	Must be assessed using English-language proficiency instrument; scores count. Native-language assessments are optional.
Student B: Two-Year Enrollment NEP/LEP student enrolled in U.S. schools for two years and has attended current school for two academic years.	Must be assessed using appropriate reading instrument; scores count; may be able to take it in native language for first three full years in U.S., or certain "approved" accommodations may be made.	Must be assessed using appropriate math instrument; scores count; native-language assessments are optional or certain "approved" accommodations may be made.	Must be assessed using appropriate science instrument; scores count; native-language assessments are optional, or certain "approved" accommodations may be made.	Must be assessed using English-language proficiency instrument; scores count.
Student C: Three-Year Enrollment NEP/LEP student enrolled in U.S. schools for three or more continuous years.	Must be assessed using appropriate reading instrument; scores count; may be able to take it in native language for first three full years in U.S., or certain "approved" accommodations may be made.	Must be assessed using appropriate math instrument; scores count toward AYP; native-language assessments are optional, or certain "approved" accommodations may be made.	Must be assessed using appropriate science instrument; scores count; native language assessments are optional, or certain "approved" accommodations may be made.	Must be assessed using English-language proficiency instrument; scores count.
Student D: Four-Year Enrollment NEP/LEP student enrolled in U.S. schools for four or more continuous years.	Must be assessed using appropriate reading instrument; scores count; may be able to take it in native language as determined on a case-by-case basis, or certain "approved" accommodations may be made.	Must be assessed using appropriate math instrument; scores count toward AYP; native-language assessments are optional,, or certain "approved" accommodations may be made.	Must be assessed using appropriate science instrument; scores count; native language assessments are optional, or certain "approved" accommodations may be made.	Must be assessed using English-language proficiency instrument; scores count.

*Each state determined their AMAOs by the 2002-03 academic year; please check with your state education agency.

** English proficiency assessments may be administered for two additional years after fluent English proficient (FEP) determination. "NEP," "LEP," and "FEP" refer to a student's degree of English proficiency: "non-English proficient," "limited English proficient," and "fluent English proficient."

APPENDIX E

Scenarios for Professional Development

Scenarios can be used as part of a comprehensive assessment training program and can provide opportunities for educators and parents to discuss key issues related to assessment. Listed below are three different assessment scenarios. The questions that accompany each are designed to help educators and parents consider some of the most important issues impacting ELL assessment in a charter school.

Beacon Middle School **Chicasaw School District** **Upton, Ohio**	**Low Incidence ELL** **Middle School**

Answer the following questions regarding the appropriateness of the instructional program and assessment plan for Beacon Middle School.

1. Identify the language instruction program options for the school.
2. Based on the selected language instruction program, identify the assessments required by law.
3. Outline an assessment plan step by step to implement the language instruction options identified in item 1.
4. Identify personnel who will assist in the implementation of the assessment plan.
5. Describe the professional development necessary to support teachers and paraprofessionals with the assessment plan.
6. If portfolio assessments were used, why would this assessment method be or not be successful?

Beacon Middle School was established 30 years ago, but is currently in its third year as a public charter school authorized by the Chicasaw School District, which is a small school district serving 9,000 students. The school is located in downtown Upton, Ohio. All of the English language learners in the area are bused into Beacon Middle School, one of four middle schools in the district to receive language support services. Currently, the language support program consists of placing English language learners in an inclusive environment. Students receive instruction from a regular classroom teacher. They also receive additional support from an ESL teacher who provides both in-class and pull-out instruction.

Beacon Middle School serves grades 6-8 and has 600 students, 22% of whom, or 132 students, are English language learners. There are 20 full-time staff members on the faculty.

Students:
Spanish-speaking students constitute 17%, or 102 students, of the total school population. The other English language learners are from diverse backgrounds that vary in the home language spoken, from Vietnamese to African and Paraguayan (Guayrani) languages and dialects.

Staff:
While there are three Spanish-speaking teachers at the school, no teachers speak the other languages represented by the language minority students. There are a low number of certified teachers on staff and only two are trained in ESL or bilingual education, but they have limited teaching experience. A literacy faculty position is allocated in the budget, and this person will also serve as the assessment coordinator.

Since the majority of the teachers are new or emergency credentialed teachers, the leadership team at the school has opted to purchase a scripted curriculum program that uses direct instruction, such as phonics, in combination with whole-language instruction. With the new required annual assessments, teachers find it difficult to accurately assess the English language learners in their content knowledge. The teachers would like to pilot portfolio assessments with ELLs to demonstrate students' academic progress.

Langston Hughes Charter High School St. Louis, Missouri	Low-Medium Incidence High School

Answer the following questions regarding the appropriateness of the testing accommodations for students at Langston Hughes Charter High School.

1. Describe possible accommodations that will provide ELLs better access to required annual assessments.
2. Discuss how these accommodations allow accessibility and what the issues are in using these accommodations.
3. Describe the resources and/or steps necessary in order to offer these accommodations. What are the challenges and strengths?
4. What type of school-based assessment instruments can be used to monitor ELL progress which might not be captured by required tests?

The Langston Hughes Charter High School was established in 2000 to provide students a high-caliber technology education required in the 21st century. In alignment with the school's commitment to make the student/teacher relationship a priority, the maximum student enrollment is 400 students from grades 9 to 12. The faculty also has a goal to differentiate instruction to the students' demonstrated needs and interests. All these efforts are to ensure that students develop critical thinking skills, problem-solving skills, and technology skills.

The student body at the school is reflective of its urban setting and mirrors that served by the local public schools. Most students come from low-income families and represent a diverse population. The student enrollment consists of 55% African American, 31% Latino, and 14% White.

In the fall, most of the enrolled ELL students will meet the eligibility criteria for administration of the NCLB-mandated annual academic content assessments. The majority of the ELL students score as non-English-proficient and limited-English-proficient on the annual English-language proficiency assessments; a few possess higher skills and abilities within the LEP spectrum. Based on these data, not all of the ELLs have progressed sufficiently to meet the AMAOs set for the year. The faculty is concerned about the high-stakes consequences attached to the academic content assessments and are unsure about the equity of including ELLs. These tests, relying upon the test-takers' English language proficiency and cultural competencies, may result in inaccurate measures of ELLs' academic progress. At the next staff meeting, annual language proficiency assessments will be reviewed and the academic content assessment tool and assessment accommodations for ELLs will be discussed.

Students:
Of the 124 Latino students, 40-50% are identified as English language learners. Their reading and writing abilities in English vary from beginner to almost proficient levels. The ELL students' schooling experience ranges from limited schooling to high literacy and cognitive understandings in their native language.

Staff:
Eighty percent of the teachers are certified. While three teachers speak Spanish, only one of them is certified as an ESL teacher and one is certified as a multicultural educator. There are four bilingual instructional aides.

Aztlan Charter School Tucson, Arizona	High Incidence ELL
	Elementary School

Answer the following questions regarding the appropriateness of alternative large-scale assessment options.

1. Describe an alternative large-scale assessment option for ELLs with no oral or written English skills.
2. How/why is the suggested assessment appropriate for this subset of English language learners? What are the drawbacks?
3. What resources would the school need to implement this alternative large-scale assessment?

Aztlan Charter School is located south of downtown Tucson. Originally, it was a traditional public school, but after its renovation in 1995 and at the request of the community it was converted into a charter school.

The mission of Aztlan Charter School is to teach understanding and respect for racial, cultural, and linguistic diversity. The school offers a dual-language program, and its goal is that all children will become fully literate in Spanish and English by third grade. Atzlan maintains high academic standards, promotes cooperation with others, and appreciates each student's uniqueness.

Although the school is aware that, according to NCLB mandates, students in U.S. schools for three years are required to participate in AYP assessments, they also know that teachers/administrators are allowed discretion to determine on a case-by-case basis if native-language tests will yield more accurate results. In that case, teachers/administrators can test ELLs in their native language for up to two additional years.

Students:
The school serves 693 students, 3% of whom are African American and 97% of whom are Latino. Due to the school's proximity to the Mexican border there is a high rate of student turnover and a constant arrival of new students. Another challenge is the enrollment of new third-, fourth-, and fifth-grade students with limited skills in oral and written English.

The identified strengths and needs of English language learners drive all educational program decisions.

There are 340 English language learners enrolled at Aztlan Charter School, constituting 49% of the total student population. Many of these students are children of migrant farmworkers or garment factory workers, and their primary language is Spanish. The majority of the students enrolled qualify for the free lunch program.

Staff:
The school attracts experienced teachers as well as beginning educators, and is very successful in drawing highly-motivated and innovative graduates from a nearby school of education. The current teaching staff of the school comprises 34 individuals, all of whom have completed a state-required teaching credential, and 60% of whom either have or are working toward state certification in bilingual education.

APPENDIX F

Web Resources

Center for Applied Linguistics – http://www.cal.org

Center for Equity and Excellence in Education Test Database – http://ceee.gwu.edu/standards_assessments/EAC/HOME.HTM

Center for Equity and Excellence in Education LEP State Policy Report – http://ceee.gwu.edu/lepstatepolicyreport/Search.asp

Center for Research on Education, Diversity & Excellence – http://www.crede.ucsc.edu

Charter Friends Network – http://www.charterfriends.org/

The Education Alliance at Brown University– http://www.alliance.brown.edu/tdl

English Language Learner Knowledge Base – http://www.helpforschools.com/ELLKBase

Intercultural Development Research Association (IDRA) – www.idra.org

Institute for Urban and Minority Education – http://iume.tc.columbia.edu/

National Association for Bilingual Education – http://www.nabe.org

National Association of Elementary School Principals – http://www.naesp.org/ContentLoad.do?contentId=1246

National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs – http://www.ncela.gwu.edu/

No Child Left Behind – http://www.NCLB.gov

Philadelphia School District Curriculum Framework – http://www.philsch.k12.pa.us/teachers/frameworks/grid/gridmast.htm

Southwest Educational Development Laboratory (SEDL) – http://www.sedl.org

State of New Jersey AMAO Guidelines – http://www.state.nj.us/njded/bilingual/policy/amao.htm

Teachers of English to Speakers of Other Languages – http://www.tesol.org

Texas Education Agency – Language Proficiency Assessment Committee Manual – http://www.tea.state.tx.us/student.assessment/resources/guides/lpac/

WestEd: Teacher Professional Development Program – http://www.wested.org/cs/tqip/print/docs/qt/home.htm

WIDA ELL Standards – http://www.wida.us/Resources/ELP_Standards_Classroom/contents.html


NCLR
NATIONAL COUNCIL OF LA RAZA


THE
EDUCATION
ALLIANCE
BROWN UNIVERSITY


The Annie E. Casey Foundation