

EVERY STUDENT SUCCEEDS ACT: KEY PROVISIONS REGARDING THE ASSESSMENT OF ENGLISH LEARNERS

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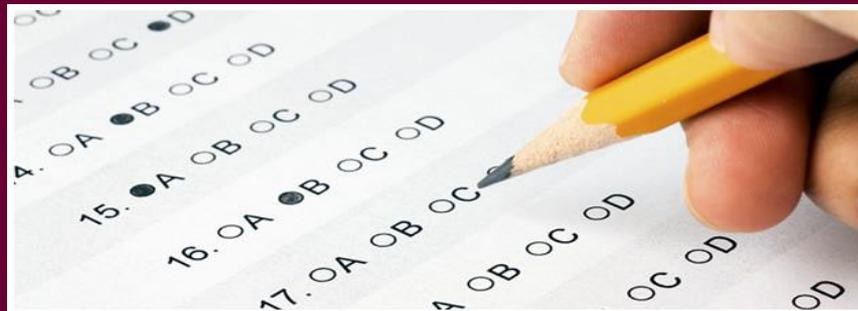
ENGLISH LANGUAGE PROFICIENCY (ELP) STANDARDS

- The No Child Left Behind Act (NCLB) required each State to have ELP standards that:
 - address the domains of speaking, listening, reading, and writing; and
 - are aligned with the State's academic standards.
- The Every Student Succeeds Act (ESSA) includes the same requirements but also requires that ELP standards address the differing proficiency levels of English learners (ELs).



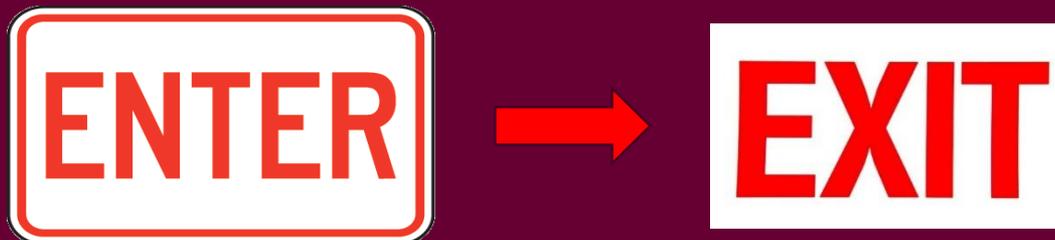
ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS

- NCLB required that local educational agencies (LEAs) annually assess the English language proficiency (ELP) of all ELs.
- ESSA requires that ELP assessments be aligned with the State's ELP standards. (This was previously required under ED guidance, but not in statute).
- Proposed ED regulations would require that each State develop a uniform statewide ELP assessment.
- In addition, a State must provide for an alternate ELP assessment for English learners with the most significant cognitive disabilities who cannot participate in the regular ELP assessment even with appropriate accommodations."



EL ENTRANCE AND EXIT PROCEDURES

- ESSA includes a new requirement in Title III that States establish and implement, after consultation with LEAs representing the diversity of the State, standardized EL entrance and exit procedures.
- The procedures must include a requirement that all students who might be EL be assessed for that status within 30 days of enrollment in a school within the State.
- The proposed regulations add the clarification that this assessment must be done “using a valid and reliable instrument.”



ACADEMIC ASSESSMENTS: INCLUSION OF ENGLISH LEARNERS

- As under NLCB, ESSA requires States to administer statewide assessments aligned with the State's academic standards:
 - In math and in reading/language arts in grades 3-8 and once in high school
 - In science once in each of three grade spans (3-5, 6-9, and 10-12).
- Reading/language arts, math, and science assessments must provide for the inclusion of ELs, who must be assessed in a valid and reliable manner and provided appropriate accommodations.
- ELs must be tested, to the extent practicable, in the language and form most likely to yield accurate data on what they know and can do.
- ESSA continues the NCLB requirement that the reading/language arts assessments of ELs who have been in US schools for 3 or more years be administered in English.
 - And the law continues to provide that an LEA may extend the period in which an EL is tested in a non-English language if it determines that doing so would yield more accurate and reliable information and that the student has not yet attained a sufficient level of proficiency to be tested in English.

ASSESSMENT OF RECENTLY ARRIVED ELs

For recently arrived ELs – defined as ELs who have been enrolled in US schools for less than 12 months. States have two options:

 **OPTION #1:** States may exclude recently arrived ELs from one administration of reading or language arts assessments (but not math).

 **OPTION #2:** States may assess and report on the performance in reading or language arts and math for each year of enrollment in a school but:

- In the 1st year: exclude recently arrived ELs' assessment results from the school's accountability determinations;
- In the 2nd year: include a measure of recently arrived ELs' academic growth in those determinations; and
- In the 3rd year and each succeeding year, include a measure of recently arrived ELs' proficiency in those determinations.

ASSESSMENT OF ELAs IN NON-ENGLISH LANGUAGES

- As noted above, ELs must be assessed to the extent practicable in the language and form most likely to yield accurate information on what students know and can do.
- The State plan must identify the languages that are present to a significant extent in the participating student population and indicate the languages for which annual assessments are not available and are needed.
- The State must make “every effort” to develop assessments in the languages present to a significant extent.

ASSESSMENT OF ELAs IN NON-ENGLISH LANGUAGES

Under proposed ED regulations:

- The State plan would include a description of the State’s process for gathering public input on assessments in non-English languages.
- The State plan would also describe the State's process for developing assessments in non-English languages
- A State’s identification of the languages as present to a significant extent (i.e., the language in which the State must make every effort to develop assessments) must include at least the “most populous” (most widely spoken) non-English language spoken by the participating student population.
- States would also be required to consider identifying other languages as present to a significant extent, such as languages spoken by distinct populations of ELs, by migratory students, by EL students not born in the United States, by Native Americans, and by a significant number of students in one or more LEAs.
- The State plan would include, as applicable, a discussion of why the State has not been able to complete the development of assessments in the significantly present languages, despite making every effort to do so.

WHAT IS THE MOST COMMONLY SPOKEN NON-ENGLISH LANGUAGES IN EACH STATE?

- In 44 states and DC, the language most commonly spoken by ELs is Spanish.
- Each of the other 6 states has a different “most populous” language:

State	Language most commonly spoken by ELs	Number of ELs in the State speaking that language (2013-2014)	Estimated number of speakers of that language in the tested grades	Estimated average number of ELs per grade speaking that language
Alaska	Yupik languages	6,629	3,569	509
Hawaii	Iloko	3,461	1,864	266
Maine	Somali	1,767	951	73
Montana	German	293	157	23
Vermont	Nepali	304	164	23

STATE ACCOUNTABILITY SYSTEMS: LONG-TERM GOALS AND INTERIM PERFORMANCE MEASURE

Each State must establish ambitious long-term goals and aligned interim measures of performance in the following areas:

- For all students and separately for each subgroup (including ELs), academic achievement as measured by proficiency on State academic assessments
- For all students and separately for each subgroup (including ELs), the high school graduation rate (which must include the four-year rate and may also include one or more extended-year rates)
- For ELs, increases in the percentage of students making progress in achieving ELP as measured by the State's ELP assessment



STATE ACCOUNTABILITY SYSTEMS: LONG-TERM GOALS AND INTERIM PERFORMANCE MEASURE

Under the proposed regulations, the long-term goals and interim measures for ELP:

- Must set expectations that each EL will make annual progress toward attaining ELP
- Must set expectations that each EL will attain ELP within a period of time after the student's identification as an EL
- Must be determined using a State-developed procedure applied consistently to all ELs in the State that:
 - Takes into consideration, at the time of a student's identification as an EL, the student's ELP level, and
 - May take into consideration a student's time in language educational programs, grade level, age, native language proficiency level, and limited or interrupted formal education, if any.

STATE ACCOUNTABILITY SYSTEMS: ANNUAL PERFORMANCE INDICATORS

- Each State must establish annual indicators based on its long-term goals in the following areas:
 - For all students and separately for each subgroup (including ELs):
 - Academic achievement, as measured by proficiency on State academic assessments (and which may include academic growth for high schools)
 - For elementary and middle schools, academic growth or another valid and reliable academic indicator
 - For high schools, the graduation rate (which must include the four-year rate and may include one or more extended-year rates)
 - One or more measures of school quality or student success
 - For ELs, progress in achieving ELP as measured by the ELP assessments in each of grades 3-8 and once in high school
- A State's accountability system must give "substantial weight" to each of the indicators of academic achievement, high school graduation, ELP, and the growth or other elementary and middle school indicator and "much greater weight" to those indicators, in the aggregate, than to the school quality and student success indicators. Proposed regulations further provide that the school quality/student success indicators may not keep a school from being identified as in need of improvement.

QUESTIONS?