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Assessment Accommodations for English Language Learners: The Case of Former-LEPs

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Within the U.S. public school system, English Language Learners (ELL) represent the fastest growing student population. Many of these students struggle to access grade-level content due to Limited English Proficiency (LEP). Although policy regarding LEP status varies state-to-state, most states impose a short time limit on how long a student can be designated LEP. Consequently, students may lose their LEP status before gaining full proficiency in English. Current policy does not allow for test accommodations for former-LEP students, raising concerns about whether language factors within the tests may prevent students who are not fully proficient in English from successfully accessing the content of the tests. The purpose of this article is to identify education placement and assessment policies that lead to reduced assessment language support for former-LEP students. Using the state of Texas as a case example, we identify potential impact points for former-LEP students who are required to participate in English-only assessments. We then review ELL assessment accommodations literature and propose extension of assessment policies to provide options for former-LEP student population.

This article examines issues surrounding the assessment of former-LEPs, or students who no longer fall under the Limited English Proficiency (LEP) policies for recent immigrants. Begun during the civil rights era (e.g. *Lau vs. Nichols*, 1974), there is a complex web of educational and assessment policies in place to scaffold entry into an English-only language environment. These policies are critical in an era of high-stakes standardized assessments (conducted in English) that are used to hold schools and districts accountable for the academic performance of their students. For example, currently in Texas, students with LEP status can be exempt from statewide assessment for up to three years. After the three-year exemption, students who no longer have LEP status (former-LEP) have to take the statewide assessment as other regular students, regardless of their actual English language proficiency. These kinds of policy constraints may lead to assessment scores that do not represent a student's knowledge or skill in the academic content area. The purpose of this discussion is

to explore where assessment accommodations, specifically, might increase the validity of test scores for former-LEPs who still need linguistic support. Because each state has its own policies in place, and policies are more likely to be more comprehensive in a state with an established ELL population, we will use Texas as a case example to illustrate main themes in this article.

BACKGROUND

There are many labels used to designate students who are either immigrant or non-native English speakers. The term English Language Learners (ELL) refers to students who did not have English as their first language and typically refers to children whose home language is not English (Abedi, 2007). More relevant when considering current assessment policies, the No Child Left Behind Act of 2001 defines an ELL student as one who meets the following criteria:

- (a) age 3 through 21; (b) enrolled or preparing to enroll in an elementary or

secondary school; (c) not born in the United States or whose native language is not English; (d) a Native America, Alaskan Native, or a native resident of the outlying areas; (e) from an environment where a language other than English has had a significant impact on an individual's level of English language proficiency; (f) migratory and comes from an environment where English is not the dominant language; and (g) has difficulties in speaking, reading, writing or understanding the English language that may deny the individual the ability to meet the state's proficient level of achievement and the ability to successfully achieve in classrooms where English is the language of instruction, or to participate fully in society (NCLB, 2002, Title IX).

How these criteria tie to services such as classroom language of instruction varies by state and local districts. For example, in Texas, a student can be an ELL but not receive any services, or, alternatively, placed in classrooms with second language support if the student meets additional criteria of Limited English Proficient. The designation of Limited English Proficient (LEP) is for students whose English skills are still emerging, at least as they are measured by a state's English language assessment system (Forte, 2007). LEP status does not take other contextual factors into account as is found in the above ELL description. In Texas, as with many other states, LEP status is necessary for eligibility for participation in programs or policies targeted at increasing English skills. In this sense, interventions for ELLs are seen as temporary, only needed in the earliest years of a student's enrollment in school. Most ELLs are LEP at entry, but lose LEP status as they spend more time in the United States and gain facility with the English language. Terminology for students with English as a second language varies from state to state and across policy contexts; the focus in this article is on students who have been in Texas for at least three years and thus have lost the language status label (LEP) that makes them eligible for assessment exemptions or modifications (i.e. former-LEP students).

A GROWING STUDENT POPULATION

ELLs, particularly students from a Hispanic background, represent one of the fastest growing populations in U.S. public school system. The number of Hispanic students nearly doubled between 1990 and

more Hispanic students than those of European descent (Fry & Gonzales, 2008). California, Texas, New Mexico, and Arizona are the states with the highest proportion of students with Hispanic background (*established* Hispanic states). For example, Texas has more than 40% Hispanic students in its public school system. The tremendous increase in Hispanic students in the Texas public school system has led to a growth in students with limited English proficiency (LEP) status. Between the 1995-96 and 2005-06 school years, enrollment increased 13.6% while enrollment of LEP students increased 34.0% (National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs, 2007). Today nearly one in six public school students in Texas is LEP. This trend is only projected to continue, both in established Hispanic states and in *emerging* Hispanic states such as Arkansas, Indiana, Kansas, Oklahoma, Utah and Wisconsin (Fry & Gonzales).

ELLs as Students At-Risk

Many ELLs face challenges in mastering academic content due a multitude of factors, including high poverty rates, insufficient instructional support at school and at home, and for some students, their limited English proficiency (Fry & Gonzales, 2008). For example, only *one percent* of Texas ELL students achieved scored at or above proficient in reading (grade 8) in the Nation Assessment of Educational Progress (NAEP) (National Center for Educational Statistics, 2009). These results are compared to 16% proficiency of students who were formerly ELL students and 30% for those who were never ELL students. Proficiency rates for ELLs across all states on this NAEP assessment ranged from 1% (Texas) to 13% proficient (Oklahoma) (24 states did not have met adequate reporting standards to provide results). The gap between ELL and non-ELL students is felt nationwide, with an average of 36 scale score points between the two groups on the NAEP (National Center for Education Statistics, 2010). While it is difficult to conclude that the differences between these groups is tied solely to English language proficiency due to the many contributing factors such as poverty, cultural differences, and opportunity to learn test content, it is this achievement gap that is of particular concern when looking at long-term student outcomes.

Challenges in academic proficiency tie directly to lower rates of high school completion (Valenzuela, Fuller & Vasquez-Heilig, 2006; Mc Neil, Coppola,

Radigan, & Vasquez-Heilig, 2008). Again, the state-specific requirements play into how ELL achievement results in differential outcomes for students. As of 2008, a total of 28 states had made satisfactory performance on the state standardized assessment a criterion for high school graduation (Stillman & Blank, 2009). In 2008, only 20% of 11th grade LEP students in Texas met the standard for all subject areas, the lowest scoring group out of all the state's reported demographics, including special education (Texas Education Agency, 2009a). For many ELL and even former-LEP students, these assessment requirements place them at a severe academic disadvantage to receiving a high school diploma; this reality reduces the incentive to stay in school to complete coursework towards graduation. In 2006-07, 7.6% of LEP high school students in Texas dropped out of school. Note that this figure only represents the dropouts in a single year. Cumulatively, over 34% of LEP students in the class of 2007 dropped out between 9th and 12th grade (Texas Education Agency, 2008). The 2006-07 graduation rate of ELLs in Texas was 39% compared with 78% for students who were not ELLs, a gap of nearly 40% (Zehr, 2009). There were few other states with as low a graduation rate for ELLs or as great as an achievement gap as Texas. The graduation rate was 46% for ELLs and 73% for non-ELLs in Arizona, in California the rates were 74% and 81%, and in New Mexico the rates were 78% and 87%, respectively (note that there is significant debate behind the calculations used in these figures, Zehr, 2009).

STANDARDIZED ASSESSMENT AND ENGLISH LANGUAGE LEARNERS

NCLB initially required states to assess students in mathematics, reading and English language arts for all students in grades 3-8 as well as grade 10. In addition to the original content areas, science scores are now required for all students in grades 5, 8 and 10. Results from these assessments are used to determine Adequate Yearly Progress (AYP) of schools and districts towards state benchmarks for percent of students that are academically proficient in these core content areas. Although test scores for ELLs must be reported on school report cards within one year of arriving in the U.S., the United States Department of Education allows each state to devise their own rules and regulations on the identification and assessment of ELLs. There are several inter-related categories or "status" markers for students with English language needs that work together

to guide assessment decisions for ELLs. Two of the most common are enrollment in bilingual education and language proficiency.

Classroom Placement

Classroom models for ELLs are as diverse as the placement policies that determine which students receive them. States can set a minimum threshold, or a number of students needing services in order for the school or district to provide bilingual or special language education. State policies and funding mechanisms vary widely (Center for Education Policy Studies, no date). In Texas, bilingual or special language education is mandated in public schools that enlist at least 20 LEP students in any language in the same grade. While bilingual education is required in elementary schools where there is a minimum threshold of students, there is a local *option* of bilingual education in middle school, and it is only required that ESL be provided in high school. Students who enter the school system at a later grade therefore often do not have access to a bilingual education model. This is true regardless of their English language proficiency entering secondary grades. Without bilingual education, students' native language skills are not integrated into the curriculum, potentially limiting their opportunities to leverage their Spanish reading and writing skills to both learn English and have access to curricular content. The lack of quality programs creates a formidable obstacle for ELLs in obtaining an adequate public school education and may partially explain the lower achievement rates and higher high school dropout rates for students who are LEP or former-LEP (Valenzuela, et al., 2006). As discussed in the case scenario below, classroom placement is also a factor in the assessment format students can participate in during their elementary school years.

Language Proficiency

NCLB requires that all ELLs be assessed annually in their progress towards English proficiency. Title III of NCLB provides guidelines to states about what kinds of assessment are suitable for this task. Before NCLB, there was little consistency and some questionable validity of the scores from English proficiency exams (Abedi, 2007). The assessments developed under Title III are drawn from more recent theories of language development, including those that delineate between academic language used in classroom instruction, or cognitive academic language proficiency (CALP) and everyday use of English, or basic interpersonal

communication skills (BICS) (Bailey & Butler, 2003). English language assessments that emphasize CALP are more likely to represent the level of knowledge that students will need as they participate in content area assessments in later years. Since NCLB was implemented, several consortia have been developed so that groups of states can work together in pursuit of common standards and to pool resources in developing assessments [e.g. the Mountain West Assessment (MWA) and the World-Class Instructional Design and Assessment (WIDA) consortium, Bauman, Boals, Cranley, Gottlieb, & Kenyon, 2007; Mathews, 2007]. Other states, including Texas, elected to implement their own systems (Porter & Vega, 2007).

The Texas exam is called the Texas English Language Proficiency Assessment System (TELPAS). Unlike the other 49 states, the TELPAS has been in use since *before* NCLB (with components added to fulfill the NCLB requirements). This assessment system thus draws on the long history of standardized assessment and accountability that has been in place in Texas. Skills evaluated include reading, writing, listening, and speaking in both academic (i.e. in the classroom) and social settings (i.e. with peers). Proficiency ratings start at Beginning: “*Students who receive this rating are in the early stages of learning English. These students have a small vocabulary of very common words and little ability to use English in academic settings. These students often communicate using English they have memorized.*” (TEA Parent Brochure, 2009). The highest possible rating, Advanced High, indicates that students are functional, but not fluent: “*Having an advanced high level of English language proficiency means no longer having a language barrier that is significant enough to stand in the way of academic learning. It does not mean having the English fluency of a native English speaker, nor does it mean that an ELL has a particular level of academic achievement.*” (TEA Parent Brochure, 2009). This disconnect between student performance on the TELPAS and on grade level English Language Arts assessments is part of the motivation behind the Title III requirement that states align their English language proficiency and content area assessment systems (Rebarber, et al., 2007).

Depending on state assessment policies for ELLs, students’ language proficiency development and *when* they are required to participate in English assessments are sometimes out of sync. Analysis of the relationship between ELL students’ scores on the state English language proficiency exam and their subsequent achievement in content area assessments paints an

interesting picture (Francis & Rivera, 2007). In their study, Francis and Rivera looked to see how students’ LEP status (and level of achievement on the English language proficiency exam) corresponded with their performance on content area assessments while controlling for grade level and number of years in the U.S. Their findings showed that number of years in the U.S., alone, was not a significant factor in student success in academic content areas. Most relevant to the discussion here, there was not a linear distribution of scores across levels of English proficiency. In other words, students did not progressively do better on the content area assessment as they gained facility with English. Instead, there appeared to be a “threshold”, with a huge spike in student proficiency scores once they reached the very highest level on the English proficiency exam. These results imply two things: first, that success in academics cannot be tied solely to the number of years one has been in the U.S. English proficiency matters in academic performance. Second, there may need to be more points on the language proficiency scale --- that the “highest” category is, in reality, made up of a greater range of abilities that need to be more clearly delineated by further categories of English proficiency (Francis & Rivera, 2007). One may find a more clearly defined linear relationship if there were greater differentiation between students in that higher category.

AN EXAMPLE SCENARIO

Policies regarding the education, classroom placement, and assessment of LEPs and ELLs are complicated and sometimes difficult to understand. To conceptualize how these policies might affect individual students, we present this scenario of a fictional immigrant, Diego, as an example (see Figure 1).

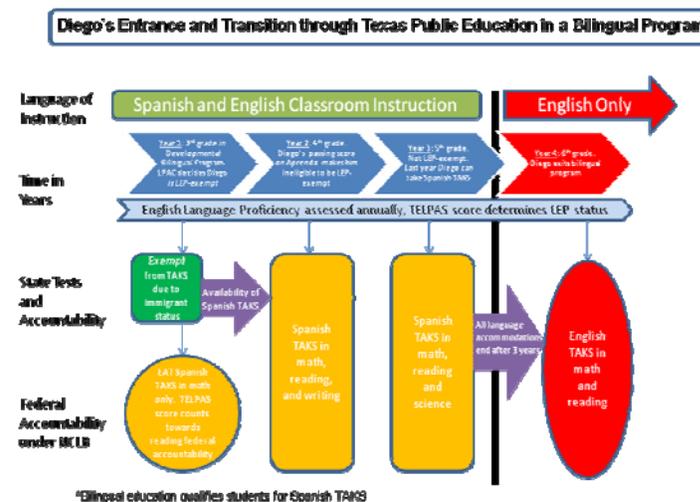


Figure 1. Confluence of State and Federal Assessment Policies for ELLs: Diego Case Scenario

In this scenario, Diego emigrated from Mexico to Texas in 2005. During the 2005-2006 school year, Diego enrolled in third grade in the neighborhood public school and was placed in a bilingual program. He was eligible for exemption from the state assessment administration because he was considered to have limited English proficiency (LEP) via his TELPAS score. However, after three years of public schooling, all students in Texas lose their LEP status and become “former-LEPs”. Furthermore, regardless of Diego’s level of English proficiency, after fifth grade he is required to take the TAKS test in English because there is no Spanish test available for sixth grade and above (all middle and high school students are assessed in English regardless of a student’s English language proficiency). Now in 6th grade, Diego’s English skills have improved, but are still developing and he is not on grade level with the rest of his peers. He is currently at an “advanced” on the state language proficiency test (TELPAS): “Students who receive this rating are able to understand and use academic English in classroom activities when given some English-language support.” (TEA Parent Brochure). As a result, Diego may find reading and language arts a challenge, at least when assessed in English. His performance on state standardized assessments may not reflect his true level of knowledge and skill.

ACCOMMODATIONS OPTIONS FOR FORMER-LEPS

As students like Diego continue in school as former-LEPs, there are few options other than assessment in English, typically without accommodations to make the test more accessible to an individual without robust English language skills. For many eligible students with disabilities and ELLs, *assessment accommodations* are used in order to offer a student a better opportunity to demonstrate what he or she knows or can do [National Center for Educational Outcomes (NCEO), 1999]. Students with disabilities are eligible for a range of accommodations under the Individuals with Disabilities Education Improvement Act (IDEIA, 2004) and the Section 504 of the Rehabilitation Act of 1973, as well as NCLB. An accommodation is defined as a modification to the test that does not change validity or reliability of the test’s results (American Educational Research Association, American Psychological Association, & National Council on Measurement in Education, 1999). For

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example, a student may receive extended time to finish an assessment if she has a reading disability that makes it challenging to complete an assessment in the standard time allotment.

Issues of accommodations and validity enjoy intense discussion by members of the measurement community (e.g., Abedi, Leon, & Kao, 2008a; Koenig & Bachman, 2004; Middleton & Laitusis, 2007; Sireci, Li & Scarpati, 2003). Concerns about validity arise when the target skill, or the concept an item measures, changes as a result of the accommodation (Messick, 1995). ELLs without sufficient CALP language proficiency might need assistance with the language of the tests to ensure that the results of their math, science, history, and other non-language centered tests are not confounded by language issues. For standardized assessments, accommodations such as a dictionary or extended time are one way to provide access to test content for students with delayed English language or literacy skills (Abedi, 2004; Thompson, Blount, & Thurlow, 2002). Yet validity concerns with language-related accommodations often arise even with tests other than English Language Arts because of the potential interaction between the student characteristics and the accommodation, interactions that are unknown and thus may impact the reliability of the test score (Sireci, et al., 2003).

Under most state assessment policies, unless he is determined to have a disability and can qualify under IDEA or Section 504, a student like Diego is not eligible for assessment accommodations on an English state test. [Research on accommodations for English language proficiency exams (such as the TELPAS) has also been limited (Lara, et al., 2007; Mathews, 2007)]. It might be possible to form an assessment accommodations policy that addresses the needs of former-LEPs, or those students that were formerly designated as ELLs. The potential use of accommodations for former-LEPs can draw upon the knowledge base already in place in assessment accommodations research. Some of the most frequently reported accommodations in each category are listed in Table 1. A description of the kinds of accommodations used and potential resources for former-LEPs is provided below.

Presentation Accommodations

The first category of accommodations deals with how the test is presented to the student. This is a primary area of accommodations for students who are ELL and may be useful to students who are former-LEPs but who

still have a robust use of their native language (Abedi, 2002). The majority of these involve changes to the language of either the directions or the test items. In a sense, these might be most appropriate for a student who is bilingual, but with a stronger academic expressive skills in the first language (e.g. Spanish). This accommodation, however, includes both conceptual and practical concerns. From a conceptual perspective, translating test items may impact the reliability and validity of the interpretation of the test score (Abedi, 2002). The translated test may be more difficult or create unforeseen challenges in measuring the target skill. From a practical perspective, creating new assessments is both time-consuming and expensive if one assesses multiple content areas across several grades. Second, one would only be able to translate tests into one or two languages, languages that may have dialects that are not shared by the designated former-LEP test takers.

Another type of presentation accommodation is modification of the linguistic complexity of test items, or simplifying the words and syntax of the test items. This simplification does not involve translating the test into another language, but it does alter the English reading level of the test item. For example in a simplified test, the word “assessment” might be replaced with the word “test” or the word “response” may be replaced with “answer.” Longer complex sentences with relative clauses may be broken down into several shorter sentences. One strength of this approach for former-LEPs is that it is already being used with ELLs and some students with disabilities. Abedi and colleagues have done extensive work on the value of reducing linguistic complexity on assessments for ELLs while still maintaining the validity of the test score. Research looking at students’ language skills has shown that modifying linguistic complexity may work best when students have some basic English skills, but may be difficult for students with very limited English proficiency (Abedi, 2006). Former-LEPs are likely to have at least moderate English skills; assessments with reduced linguistic complexity may be a good resource for these students.

A third kind of presentation accommodation related to linguistic complexity is the inclusion of visual images with the test items. Images are typically non-verbal in content and can provide additional information or context about the item without relying on a student’s English skills. Changes to the linguistic complexity of an item, as discussed above, are

information to the test item. This process is, in a sense, related to the Universal Design framework for assessments. Adding visual information to a test item strives to provide assessments in formats that are accessible by students with a range of linguistic backgrounds and capabilities.

The last kind of presentation accommodation listed here is the use of dictionaries or glossaries during the assessment (Abedi, Hofstetter & Lord, 2004). These two resources can act as language support without changing the content of the test items directly. Sometimes resources are provided in the language of the assessment (i.e. English) and other times in the student’s native language (e.g. Spanish). These resources are used with ELLs and may be a reasonable accommodation for former-LEPs as well. Abedi and his colleagues have demonstrated the potentially beneficial effects of dictionaries and glossaries. Some concern may arise if the purpose of the test item is to test student’s knowledge of vocabulary; if dictionaries provide definitions, it could reduce the validity of a correct score (Abedi, Leon, & Kao, 2008a, 2008b). From a practical perspective, this accommodation would likely need to be used in addition to extended time (see next section on Scheduling Accommodations) because of the extra steps involved in looking up concepts while reading test items.

Scheduling Accommodations

A second category of accommodations that may be relevant for former-LEPs is changes to the timing or scheduling of assessment blocks. These options include allowing extra assessment time, additional breaks between testing, and a single test across several testing sessions. The purpose of these accommodations is to account for the extra time it might take for a student to comprehend the test item. For students with a learning disability, extra time is potentially beneficial because students require additional time to use the reading strategies they have learned to counteract the effects of their disability. Former-LEPs may also need additional time to process information, particularly if they use back-translation as a comprehension strategy. For example, a student may read the test item in English, translate it to herself into Spanish, think about the meaning of the test item, come up with an answer, and then translate that concept back into English. This process involves multiple additional steps that a native English speaker would not need to conduct. Fatigue is a concern in any situation where more time is necessary. The related accommodations of frequent breaks or

multiple assessment periods are therefore often used in conjunction with extended time. For example, a student may have double time for an assessment, but for a test that was originally two hours long, this results in an exam that is four hours in duration. Periodic breaks or multiple testing periods would be necessary to help the student stay on task and maintain the level of concentration necessary to perform on the assessment.

Setting Accommodations

The last category of accommodations in Table 1 identifies changes to the test setting. Accommodations to setting usually involve administering the test in small groups or individually or administering in separate rooms. For students with disabilities, changes to the test setting are used to reduce distraction, such as when a student as Attention Deficit Hyperactivity Disorder. The small group or individual assessment is also used when a group is using an accommodation that would be disruptive if used in an inclusive classroom format, such as an oral administration of test items. For former-LEPs without disabilities, setting accommodations might be useful, even if for different reasons. For example, former-LEPs may have the directions or items translated into their native language, necessitating a separate setting than those receiving directions in English. It may be beneficial to have a bilingual teacher or staff member administer the test to students, even if the text is in English. Students could then ask questions in Spanish or English depending on individual need.

Table 1. *Potential Accommodations for former-LEPs*

Presentation	Scheduling	Setting
Directions in first language	Extra time	Small Groups or Individual
Test Items in first language	Breaks during testing	Separate Room
Reduce linguistic complexity	Several sessions	
Visual supports		
Glossaries or dictionaries		

Adapted from Thompson, Blount & Thurlow (2002)

CONCLUSIONS

The lack of assessment accommodations for secondary students who do not demonstrate English language proficiency (especially CALP), yet are no longer LEP-exempt, may result in invalid assessments of these students' true abilities. As is the case in Texas, assessment policies for ELLs can result in an abrupt break from the linguistic support available to students in the elementary grades. This concern, combined with the emphasis placed on test scores for both state and federal accountability purposes, may have unintended negative consequences for students and for schools. Important decisions regarding our schools' and students' futures may be formed on inaccurate information about student academic progress.

Assessment policies for ELLs or former-LEPs are not made in a vacuum, but rather in the context of multiple initiatives and decisions about education models. The education community continues to shift from an emphasis on access to public education to one of high educational outcomes for students. Education models that support best outcomes for ELLs are not readily available to all students and, by available measures, there is a long way to go before educational outcomes for ELLs and former-LEPs are on par with their peers. In Texas and throughout the country, scores on standardized assessments of student achievement are a gateway to grade promotion, high school completion, and post-secondary opportunities. Without information about student achievement that draws from multiple sources and criteria, this emphasis on the scores on standardized assessments will likely underestimate the knowledge and skills of former-LEPs. Many students who are former-LEPs, particularly those who have been in the United States for several years, come to secondary education already with a history of struggle and academic challenges faced by students who are simultaneously learning English and academic content. Assessment policies are needed that recognize both the limitations of many classroom education models and the timeframes necessary before students can participate in English assessments without linguistic support. Assessment accommodations, many already in use for students with disabilities, may be a potential resource for former-LEP students.

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