Assessing English Learners Under the Elementary and Secondary Education Act, as Amended by the Every Student Succeeds Act

English learners are a highly diverse group of students with cultural and linguistic assets, including their home languages. Although English learners come to school with the benefit of speaking a language other than English, they face the challenge of acquiring academic content knowledge in English at the same time as they acquire English language proficiency. Despite this challenge, ELs are held to the same testing requirements as—or, in some cases, more substantial testing requirements than—English-proficient students. The Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA), includes new provisions that are designed to support ELs’ participation in statewide testing. To facilitate testing of ELs and to support their testing participation, ESSA includes stipulations for states to administer content assessments in languages other than English. ESSA also requires states to make efforts to develop state content assessments in languages that are “present to a significant extent” in their student population. As with federally required state content assessments, any assessment developed in a language other than English must meet federal requirements for technical quality and peer review. States can administer an approved content assessment in a language other than English, including Native American languages, to support the participation of all students in statewide testing.

As states consider these new testing provisions, there may be questions about which assessments to administer to ELs, or questions about the development of assessments in other languages. This resource provides an overview of the different assessment requirements for states to consider. The table on page 2 provides details on considerations regarding ELs and statewide testing, as well as the requirements for state content and language assessments. These requirements include stipulations for the approved use of content assessments in different languages, including those administered in Native American languages. Also included are technical requirements that states must address prior to administering any assessment, including assessments in languages other than English. The flow chart on page 5 can be used to guide understanding of federal testing requirements for students who are identified as ELs, including students who attend a Native American-language school or program. This resource is designed to be shared with state department of education staff and can be used as part of training materials for district and school staff who assess English learners.

1 Section 200.6(f) of the Academic Assessment Final Regulations.
### Anxiety and Skill :

- **Content assessments** refer to federally required reading/language arts, mathematics, and science assessments (columns 1 and 2 of the table).
- **(1)** See 34 CFR 200.6(j)
- **(2)** See 34 CFR 200.6(h)(1), ESEA 1111(b)(2)(G)

**A. Required Under ESEA as Amended by ESSA?**

<table>
<thead>
<tr>
<th>Assessed Area</th>
<th>Required</th>
<th>Developed Effort</th>
<th>See Box B1</th>
<th>See Box B1</th>
<th>Yes</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Reading/Language Arts and Mathematics Assessments</strong></td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>2. Science Assessments</strong></td>
<td>Yes</td>
<td></td>
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</tr>
<tr>
<td><strong>3. Content Assessments(^2) in a Native Language (e.g., Spanish) for English Learners</strong></td>
<td>States must make “every effort” to develop the assessments needed. See individual state plans</td>
<td>No(^3)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>4. Content Assessments in a Native American Language for Students in a Native American Language School</strong></td>
<td>Yes; must be aligned to state-adopted challenging academic standards</td>
<td>See Box B1</td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>5. English Language Proficiency Assessments for English Learners</strong></td>
<td>Yes; must be aligned to state-adopted challenging English language proficiency standards</td>
<td>See Box B1</td>
<td></td>
<td></td>
<td>State must have a uniform statewide English language proficiency assessment(^4)</td>
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**B. Alignment to Standards**

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<tbody>
<tr>
<td>States must make “every effort” to develop the assessments needed. See individual state plans</td>
<td>Yes; must be aligned to state-adopted challenging academic standards</td>
<td>Yes; must be aligned to state-adopted challenging English language proficiency standards</td>
<td>Yes; must be aligned to state-adopted challenging academic standards</td>
<td>Yes; must be aligned to state-adopted challenging English language proficiency standards</td>
<td>Yes; must be aligned to state-adopted challenging academic standards</td>
<td>Yes; must be aligned to state-adopted challenging English language proficiency standards</td>
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</table>

**C. Administration — Format**

<table>
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<tr>
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<tbody>
<tr>
<td>State-determined; can be a single summative assessment or multiple interim assessments</td>
<td>Must result in a single summative score that provides valid, reliable, and transparent information on student achievement or growth</td>
<td>Must result in a single summative score that provides valid, reliable, and transparent information on student achievement or growth</td>
<td>Must result in a single summative score that provides valid, reliable, and transparent information on student achievement or growth</td>
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<td>Must result in a single summative score that provides valid, reliable, and transparent information on student achievement or growth</td>
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</tbody>
</table>

**D. Administration — Student Population**

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<tr>
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<tbody>
<tr>
<td>All public elementary school and secondary school students in the state</td>
<td>English learners as appropriate</td>
<td>All students enrolled in a state-funded Native American language school or program that provides instruction primarily in a Native American language</td>
<td>All English learners in grades K–12</td>
<td>All English learners in grades K–12</td>
<td>All English learners in grades K–12</td>
<td>All English learners in grades K–12</td>
</tr>
</tbody>
</table>

**E. Administration — Frequency**

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<tr>
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<tbody>
<tr>
<td>Annually, in grades 3–8 and at least once in grades 9–12</td>
<td>Annually, at least once in grades 3–5, at least once in grades 6–9, and at least once in grades 10–12</td>
<td>See Boxes E1 and E2</td>
<td>At least once in grades 9–12, states must administer an English-language-only assessment in reading/language arts.</td>
<td>Annually in grades K–12</td>
<td>Annually in grades K–12</td>
<td>Annually in grades K–12</td>
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</tbody>
</table>
### Assessing English Learners Under the Elementary and Secondary Education Act, as Amended by the Every Student Succeeds Act

<table>
<thead>
<tr>
<th>F. Administration—Accommodations</th>
<th>1. READING/LANGUAGE ARTS AND MATHEMATICS ASSESSMENTS</th>
<th>2. SCIENCE ASSESSMENTS</th>
<th>3. CONTENT ASSESSMENTS(^2) IN A NATIVE LANGUAGE (E.G., SPANISH) FOR ENGLISH LEARNERS</th>
<th>4. CONTENT ASSESSMENTS IN A NATIVE AMERICAN LANGUAGE FOR STUDENTS IN A NATIVE AMERICAN LANGUAGE SCHOOL</th>
<th>5. ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS FOR ENGLISH LEARNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must provide:</td>
<td>Must provide:</td>
<td>See Box F1</td>
<td>See Box F1</td>
<td>See Box F1</td>
<td>Must provide:</td>
</tr>
<tr>
<td>• for the participation of all students</td>
<td>• appropriate accommodations for children with disabilities</td>
<td></td>
<td></td>
<td></td>
<td>• appropriate accommodations for children with disabilities</td>
</tr>
<tr>
<td>• appropriate accommodations for English learners, including assessments in the language and form most likely to yield accurate data on student knowledge and skill, until English learners have achieved English language proficiency</td>
<td>• appropriate accommodations for English learners, including assessments in the language and form most likely to yield accurate data on student knowledge and skill, until English learners have achieved English language proficiency</td>
<td></td>
<td></td>
<td></td>
<td>• alternate English language proficiency assessment for English learners with the most significant cognitive disabilities</td>
</tr>
<tr>
<td>• alternate assessment for students with the most significant cognitive disability</td>
<td>• alternate assessment for students with the most significant cognitive disability</td>
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</tr>
</tbody>
</table>

### G. Score Report Requirements

Assessments must produce student-level interpretive, descriptive, and diagnostic reports that provide student achievement information. Results must be disaggregated by district and school, as well as by:

- each major racial and ethnic group
- economically disadvantaged students, compared to non-economically disadvantaged students
- students with disabilities, compared to students without disabilities
- English proficiency status
- gender
- migrant status
- status as a homeless child or youth
- status as a child in foster care
- status as a student with a parent who is a member of the armed forces on active duty or serves on full-time National Guard duty

See Box G1    See Box G1    See Box G1
## 1. READING/LANGUAGE ARTS AND MATHEMATICS ASSESSMENTS

Assessments must be:
- aligned with the challenging state academic content standards
- valid, reliable, and fair for the purposes for which they are used
- consistent with relevant, nationally recognized professional and technical testing standards
- objective measures of academic achievement, knowledge, and skills
- supported by evidence, which must be made public, of adequate technical quality for each ESEA-required purpose
- submitted for peer review

## 2. SCIENCE ASSESSMENTS

See Box H1

## 3. CONTENT ASSESSMENTS in a Native Language (e.g., Spanish) for English Learners

See Box H1

## 4. CONTENT ASSESSMENTS in a Native American Language for Students in a Native American Language School

See Box H1

## 5. ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS FOR ENGLISH LEARNERS

Assessments must be:
- aligned with the state’s English language proficiency standards
- valid, reliable, and fair for the purposes for which they are used
- consistent with relevant, nationally recognized professional and technical testing standards
- supported by evidence, which must be made public, of adequate technical quality for each ESEA-required purpose
- able to provide coherent and timely information about each student’s attainment of the state’s English language proficiency standards to parents
- submitted for peer review

See Box H1
Assessing English Learners Under the Elementary and Secondary Education Act, as Amended by the Every Student Succeeds Act

CSAI Update is produced by the Center on Standards and Assessment Implementation (CSAI). CSAI, a collaboration between WestEd and CRESST, provides state education agencies (SEAs) and Regional Comprehensive Centers (RCCs) with research support, technical assistance, tools, and other resources to help inform decisions about standards, assessment, and accountability. Visit www.csai-online.org for more information.

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**Assessing English Learners**

1. **Has the student been identified as an English learner?**
   - NO
   - YES: **Student is administered the State English language proficiency assessment**

2. **Is the student attending a Native American language school or program?**
   - NO
   - YES: **Does the Native American language school or program meet the 4 requirements in 200.6(j)?**
     1. The State provides the Native American language assessment to all students in the school or program.
     2. The State submits evidence regarding any such assessment in the Native American language for peer review as part of its State assessment system, and receives approval that the assessment meets all applicable requirements.
     3. For an English learner, the State continues to assess the English language proficiency of such English learner, using the State’s annual English language proficiency assessment, and provides appropriate services to enable him or her to attain proficiency in English.
     4. The State must assess using assessments written in English, the achievement of each student enrolled in such a school or program in meeting the challenging State academic standards in reading/language arts, at a minimum, at least once in grades 9 through 12.

3. **Is the State administering content assessments in a native language (e.g. Spanish)?**
   - NO
   - YES: **English learner may be administered the State assessment (in the available language that is most appropriate for the student) in reading/language arts (for up to 5 years), mathematics, & science (as long as the student is an English learner)**

4. **Student is administered the State assessment (in English) in reading/language arts, mathematics, & science**

5. **Student may be administered a content assessment in a Native American language**