

Title: ELP testing of English learner students with disabilities

Date: October 2015

Question: >> Could you provide research on English Language Proficiency (ELP) testing of students with disabilities, including 1) how tests are administered 2) how tests are validated for students with disabilities 3) how tests are scored 4) how those scores are used and 5) how tests are used to reclassify students with disabilities?

Response:

We have prepared the following memo with 1) references on ELP testing of English learner students with disabilities and 2) comprehensive manuals from five states on assessing English learner students with disabilities. Citations include a link to a free online version, when available. All citations are accompanied by an abstract, excerpt, or summary written by the author or publisher of the document. We have not done an evaluation of the methodological rigor of these resources, but provide them for your information only.

References

Abedi, J. (2009). English language learners with disabilities: Classification, assessment, and accommodation issues. *Journal of Applied Testing Technology*, 10(2), 1-30.

Abstract: English language learners with disabilities (ELLWD) face many challenges in their academic career. Learning a new language and coping with their disabilities create obstacles in their academic progress. Variables relegating accessibility of assessments for students with disabilities and ELL students may seriously hinder the academic performance of ELLWD students. Furthermore, classification and accommodation for these students requires a more complex design than those for either ELLs or students with disabilities. Proper identification of these students is a challenge if their disability is masked by their limited English proficiency, or vice versa. Improper identification may lead to inappropriate instruction, assessment and accommodation for these students. Linguistic and cultural biases may affect the validity of assessment for ELLWD students. In this paper, issues concerning accessibility of assessment, classification, and accommodations for ELLWD students are discussed and recommendations for more accessible assessments for these students are provided.

Albus, D. & Thurlow, M.L. (2008). Accommodating students with disabilities on state English language proficiency assessments. *Assessment for Effective Intervention*, 33(3), 156-166.

Abstract: All English language learners (ELLs) are to participate in an annual assessment of English language proficiency (ELP) under Title III of the No Child Left Behind Act of 2001. This includes ELLs with disabilities, regardless of whether they are high-incidence disabilities (e.g., learning disability) or low-incidence disabilities (e.g., deaf or hard of hearing). This article summarizes

findings from a national study of state ELP accommodation policies for ELLs with disabilities on these state assessments. It highlights the policy differences across states in the accommodations offered and also provides information on state-specific policies. Several recommendations based on the analysis are provided.

Burr, E., Haas, E., & Ferriere, K. (2015). Identifying and supporting English learner students with learning disabilities: Key issues in the literature and state practice (REL 2015-086). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory West. Retrieved on September 28, 2015, from http://ies.ed.gov/ncee/edlabs/regions/west/pdf/REL_2015086.pdf

Abstract: While the literature on learning disabilities and on second-language acquisition is relatively extensive within the field of education, less is known about the specific characteristics and representation of English learner students with learning disabilities. Because there are no definitive resources and processes for identifying and determining best placement for English learner students with learning disabilities, schools, districts, and states struggle with this issue. As a result, English learner students who may or may not have learning disabilities are both over- and underrepresented in special education. This report aims to inform policymakers interested in developing procedures, including the use of guidelines and protocols, for identifying, assessing, and placing English learner students who may or may not have learning disabilities. The report describes 1) the key issues discussed in the research literature and 2) current state procedures for the 20 states with the largest English learner populations.

Christensen, L. L., Albus, D. A., Liu, K. K., Thurlow, M. L., & Kincaid, A. (2013). Accommodations for students with disabilities on state English language proficiency assessments: A review of 2011 state policies. Minneapolis, MN: *National Center on Educational Outcomes*. Retrieved on September 28, 2015, from <http://files.eric.ed.gov/fulltext/ED545326.pdf>

Abstract: English language learners (ELLs) with disabilities are required to participate in all state and district assessments similar to their peers without disabilities. This includes assessments used for the Elementary and Secondary Education Act (ESEA) Title I accountability purposes for demonstrating proficiency in academic content, assessments used for Title III purposes to measure yearly growth in English proficiency (in reading, writing, speaking, and listening), and other state and local assessments administered to all students. This report documents states' participation and accommodation policies for ELLs with disabilities on their English Language Proficiency (ELP) assessments. The states' online policies from 2011, after state verification, showed that 49 states addressed participation criteria for ELLs with disabilities. Of these states, 36 states allowed for selective participation of students with disabilities on the ELP assessment, meaning that a student may participate in some domains but not others. Most often, ELLs who were deaf/hard of hearing or who had visual impairments or blindness were considered for selective participation. Across the 50 states and the District of Columbia, policies varied with regard to whether an IEP or 504 plan was required to receive an accommodation. A total of 37 states mentioned that an IEP or 504 plan was required. However, five states did not require an IEP or 504 plan in order for an ELL to receive an accommodation on the ELP assessment. An additional nine states provided no policy information. Specific accommodation policies also varied across states. The accommodations most often allowed were Large Print (N = 46) and Proctor/Scribe (N = 42). The most often prohibited accommodations were Bilingual Dictionary (N = 38) and Native Language Translation of Test (N = 35). The summary of findings suggests that, over time, states have become more detailed in their policies relating to participation and accommodations for ELLs with disabilities on ELP assessments. Continued attention to the participation and performance of ELLs with disabilities in ELP and other state assessments is essential. Two appendices present: (1) State Documents Used in Analysis of Participation; and (2) Participation and Accommodation Guidelines by State.

Guzman-Orth, D., Laitusis, C., Thurlow, M., & Christensen, L. (2014). *Conceptualizing accessibility for English Language Proficiency assessments*. Princeton, NJ: Educational Testing Service. Retrieved on September 23, 2015, from <http://www.ets.org/Media/Research/pdf/K12%20EL%20Accessibility%20Paper.pdf>

Excerpt: This paper is the second in a planned series of white papers from Educational Testing Service (ETS) that conceptualize next-generation English language proficiency (ELP) assessment systems for K-12 English learners (ELs) in the United States. The goal of this paper is to address accessibility issues in the context of ELP assessments and to discuss critical considerations to improve the accessibility of ELP assessments for ELs and ELs with disabilities. Although accessibility for ELs and ELs with disabilities who are taking content assessments is also important, a discussion about content assessments is beyond the scope of the paper at this time. In this paper, we discuss challenges and areas of possible directions to pursue for ongoing and future ELP assessment development, policy implications, and research considerations to improve the ELP testing experience for all users.

Liu, K. K., Goldstone, L., Thurlow, M. L., Ward, J., Hatten, J., & Christensen, L. L. (2013). *Voices from the field: Making state assessment decisions for English language learners with disabilities*. Minneapolis, MN: National Center on Educational Outcomes. Retrieved on September 28, 2015, from <http://files.eric.ed.gov/fulltext/ED545329.pdf>

Abstract: English language learners (ELLs) with disabilities are an increasing presence in schools in the United States. Title I and Title III of the Elementary and Secondary Education Act require that these students meet the same academic grade-level standards and participate in content assessments as their fluent-English speaking peers without disabilities. Nevertheless, ELLs with disabilities are among the lowest achieving students. In addition to taking content assessments, they must also meet English proficiency standards and participate in English proficiency assessments. Still, many states do not have established assessment participation criteria and accommodation policies for ELLs with disabilities in their accountability systems in spite of this growing student population in schools across the states. The Improving the Validity of Assessment Results for ELLs with Disabilities (IVARED) project is a consortium of the five states of Arizona, Maine, Michigan, Minnesota, and Washington, led by Minnesota. In collaboration with the National Center on Educational Outcomes (NCEO), these states sought to understand ways to make state accountability assessments more valid and reliable for ELLs with disabilities. This report describes one of the project's activities undertaken to better understand the current assessment and accommodation decision-making process, test score use practices, and issues and challenges educators face in making appropriate decisions for ELLs with disabilities. Online focus groups of 232 school and district practitioners were conducted in each of the five states. Four major themes from the study's findings are highlighted in this report. These were common in the responses of participants from all five states: assessment validity, assessment participation decision making, accommodations decision making, and leadership: (1) Participants questioned the validity of standardized tests, particularly state academic content assessments. This was especially true because the educators believed that the cultural and linguistic complexity of the test items and test format were not designed for ELLs with disabilities; (2) Participants expressed confusion about federal assessment policies and their states' exemption practices for assessment participation requirements. The Individualized Education Program (IEP) was the primary process used for assessment participation decision making. Although, the IEP was typically idealized as collaborative and multi-disciplinary, this was not consistently realized in practice according to focus group participants; (3) Participants stated that the IEP process served primarily to make decisions about accommodations on content assessments, but less so for state English language proficiency assessments and accommodations; and (4) Participants described needs specific to ELLs with disabilities for support and guidance from school and state education leaders on assessment and accommodations. The needs were for additional qualified staff and training, clear and consistent

written assessment policies, and appropriate uses of state accountability test scores. Based on the focus group findings, several recommendations for state departments of education are provided.

Minnema, J., Thurlow, M., Anderson, M., & Stone, K. (2005). English language learners with disabilities and large-scale assessments: What the literature can tell us. ELLs with Disabilities Report 6. Minneapolis, MN: National Center on Educational Outcomes. Retrieved on September 28, 2015, from <http://files.eric.ed.gov/fulltext/ED486232.pdf>

Abstract: Part of understanding the issues that surround the implementation of transformative federal mandates such as the No Child Left Behind Act of 2001 (NCLB) is the accumulation of sound, evidenced-based findings that are coupled with rich descriptive explanatory findings. By doing so, the research community supports educational practice to continually improve student academic results. A beginning point in the development of important research questions that generate useful findings for educators is an understanding of what data-based information exists and where the gaps are. The purpose of this report is to describe a review of the literature that pertains to the inclusion of ELLs with disabilities in states' large-scale assessment programs. In doing so, the report first describes any literature that addresses the participation of ELLs with disabilities in statewide testing that is used for accountability purposes. As a second step in the literature review, any literature pertaining to ELLs with disabilities is also considered in order to identify gaps in the knowledge base that point to necessary next steps in research.

NCEO. (2014). State assessment decision-making processes for ELLs with disabilities (NCEO Brief #9). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes. Retrieved on September 29, 2015, from <http://www.cehd.umn.edu/NCEO/OnlinePubs/briefs/brief09/NCEOBrief9.pdf>

Excerpt: This brief presents information on what we know about assessment decision-making processes for English language learners (ELLs) with disabilities. It highlights information that has been collected by NCEO as well as information from other sources. Topics addressed in the brief include: (a) required assessment decision-making processes, (b) experts' recommendations about assessment decision making for ELLs with disabilities, (c) resources available to guide assessment decision making, (d) standards-based IEPs, and (e) recommended participants on the decision-making team. Conclusions focus on the six key areas in which policymakers should provide guidance for educators.

Rivera, C., Acosta, B. D., & Willner, L. S. (2008). Guide for refining state assessment policies for accommodating English language learners. Washington, DC: George Washington University Center for Equity and Excellence in Education. Retrieved on September 28, 2015, from <http://files.eric.ed.gov/fulltext/ED539746.pdf>

Abstract: In meeting the inclusion provisions for English language learners (ELLs) in state assessment systems, it is important to assure the meaningful representation of what students know and can do. States have relied on accommodations as one of the principle means to increase the validity of ELL test scores. Yet current knowledge about effective accommodations for ELLs is limited. Moreover, because accommodations were originally implemented to support students with disabilities, many states have not distinguished between accommodations for ELLs and students with disabilities. In contrast to students with disabilities who need accommodations that address their particular disability, ELLs need accommodations that provide "linguistic" support. This support is needed to help them demonstrate what they know and can do on assessments given in English. Additionally, it is important to recognize the heterogeneity of the ELL population. To increase the validity and reliability of assessment results for ELLs, policy makers will need to carefully consider how to accommodate ELLs at varying stages of English language proficiency (ELP), native language literacy, and with differing educational backgrounds. The aim of this Guide is to support states in refining assessment policies so they are more responsive to the linguistic needs

of ELLs. It is designed to help state education agencies build policies that coherently address ELLs, and that clearly distinguish the accommodation of ELLs from the accommodation of students with disabilities. The paper also provides an overview of research on accommodations and highlights studies on specific accommodations for ELLs. This is followed by a discussion of the relevant findings from the Descriptive and Best Practices studies, which form the foundation for the organization and content of the Guide.

Sato, E., Worth, P., Gallagher, C., Lagunoff, R., & McKeag, H. (2007). Guidelines for ensuring the technical quality of assessments affecting English language learners and students with disabilities: Development and implementation of regulations. Assessment and Accountability Comprehensive Center. San Francisco, CA: WestEd. Retrieved on September 28, 2015, from <http://files.eric.ed.gov/fulltext/ED543916.pdf>

Abstract: These guidelines, prepared by the Special Populations Strand of the Assessment and Accountability Comprehensive Center (AACC), focus on the technical quality of assessments for English language learners (ELLs) and students with disabilities (SWDs). This document is an evolving document that will periodically be updated to incorporate new information. This document is intended to provide information to Regional Comprehensive Centers (RCCs) and states as they work to comply with the regulations of No Child Left Behind (NCLB) affecting their special student populations (i.e., SWDs, ELLs). These guidelines also are intended to help RCCs and states: (1) gauge where a state is with regard to meeting federal requirements relevant to the assessment and accountability of special student populations; (2) focus attention on priority issues related to implementing practices and systems that are in compliance with federal regulations; and (3) select implementation strategies that have evidence of effectiveness, given the particular needs and conditions of the state.

Thurlow, M. L., Liu, K. K., Ward, J. M., & Christensen, L. L. (2013). Assessment principles and guidelines for ELLs with disabilities. Minneapolis, MN: University of Minnesota, Improving the Validity of Assessment Results for English Language Learners with Disabilities (IVARED). Retrieved on September 29, 2015, from <http://www.cehd.umn.edu/NCEO/OnlinePubs/ivared/IVAREDPrinciplesReport.pdf>

Excerpt: The Improving the Validity of Assessment Results for English Language Learners with Disabilities (IVARED) project has identified essential principles of inclusive and valid assessments for English language learners (ELLs) with disabilities. These principles were developed from a Delphi expert review process with nationally recognized experts in special education, English as a second language or bilingual education, assessment, and accountability. Additional input was obtained through discussion of the principles at national assessment and education conferences as well as during meetings of the Council of Chief State School Officers State Collaborative on Assessments and Student Standards (SCASS) groups. This report presents five core principles of valid assessments for this population of students, along with a brief rationale and specific guidelines that reflect each principle.

U.S. Department of Education. (2014). Questions and answers regarding inclusion of English learners with disabilities in English language proficiency assessments and Title III annual measurable achievement objectives. Washington, DC: Author. Retrieved on September 28, 2015, from <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/q-and-a-on-elp-swd.pdf>

Excerpt: Education personnel in states, local educational agencies (LEAs), and schools across the nation have described challenges in developing and administering English language proficiency (ELP) assessments required under Titles I and III of the Elementary and Secondary Education Act of 1965, as amended (ESEA), to students who are both English Learners (ELs) and students with disabilities. Some of these challenges include: 1) ensuring that all ELs with disabilities participate in

the annual state ELP assessment; 2) administering an annual state ELP assessment that accurately measures the English language proficiency of students with disabilities, including providing individual appropriate accommodations in accordance with a student's individualized education program (IEP), as required by the Individuals with Disabilities Education Act (IDEA); 3) administering appropriate alternate assessments to the annual state ELP assessment in accordance with the student's IEP, as required by the IDEA; and 4) determining how to include the results of annual state ELP assessments for students with disabilities in making accountability determinations under the ESEA. The questions and answers included in this document are intended to help states and LEAs address these challenges, and more broadly, to understand how Part B of the IDEA and Titles I and III of the ESEA address the inclusion of ELs with disabilities in annual state ELP assessments. These are assessments designed to measure the progress of ELs in attaining English language proficiency...This document is intended to assist states and LEAs in serving, assessing, and including in Title III accountability measures, those ELs who are also students with disabilities.

U.S. Department of Education. (2015). Addendum to questions and answers regarding inclusion of English learners with disabilities in English language proficiency assessments and Title III annual measurable achievement objectives. Washington, DC: Author. Retrieved on September 28, 2015, from <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/addendum-q-and-a-on-elp-swd.pdf>

Excerpt: Initial Identification

- Why is it important to consider the results of an EL screener for students with disabilities or students suspected of having a disability?
- Can IDEA funds be used to identify a student with a disability, or a student suspected of having a disability, as an EL?
- Does Federal law provide that ELs may not be evaluated for special education services for a certain period of time?
- How can States ensure the appropriate identification of ELs with disabilities and prevent the over/under identification of ELs for special education services? ...

Accommodations and Alternate Assessments

- May States develop alternate ELP standards for ELs with disabilities to define what they know in English and are able to do in English?
- Are all ELs with disabilities expected to have their ELP assessed in the same way as ELs without disabilities?
- May a State use different cut scores or achievement standards on the State ELP assessment for determining whether ELs with disabilities are proficient in English?
- May a State use Title III funds to develop an alternate ELP assessment for students with disabilities?
- May a State use Title III funds for SEA capacity-building activities, such as funding a meeting to gather stakeholders to make determinations about how to develop an alternate ELP assessment?

Comprehensive State Manuals

Colorado

Learners who are culturally and/or linguistically diverse (CLD) suspected of having educational disabilities (2014)

<http://www.cde.state.co.us/cdesped/CLD.asp>

Connecticut

English language learners and special education: A resource handbook (2011)

http://www.sde.ct.gov/sde/lib/sde/pdf/curriculum/bilingual/CAPELL_SPED_resource_guide.pdf

Illinois

Serving English learners with disabilities: A resource manual for Illinois educators (2002)

http://www.isbe.net/bilingual/pdfs/bilingual_manual2002.pdf

Minnesota

ELL companion to reducing bias in special education evaluation (2005)

<http://www.asec.net/Archives/Manuals/ELL%20companion%20Manual%20020212%5B1%5D.pdf>

Virginia

Handbook for Educators of Students Who Are English Language Learners with Suspected Disabilities (2009)

http://www.doe.virginia.gov/instruction/esl/resources/handbook_educators.pdf

Methods

Keywords and Search Strings Used in the Search

“Disabilities” AND “English language proficiency” AND testing OR assessment

Search of Databases

EBSCO Host, ERIC, PsychInfo, PsychArticle, Google, and Google Scholar

Criteria for Inclusion

When REL West staff review resources, they consider—among other things—four factors:

- **Date of the Publication:** The most current information is included, except in the case of nationally known seminal resources.
- **Source and Funder of the Report/Study/Brief/Article:** Priority is given to IES, nationally funded, and certain other vetted sources known for strict attention to research protocols.
- **Methodology:** Sources include randomized controlled trial studies, surveys, self-assessments, literature reviews, and policy briefs. Priority for inclusion generally is given to randomized controlled trial study findings, but the reader should note at least the following factors when basing decisions on these resources: numbers of participants (Just a few? Thousands?); selection (Did the participants volunteer for the study or were they chosen?); representation (Were findings generalized from a homogeneous or a diverse pool of participants? Was the study sample representative of the population as a whole?).
- **Existing Knowledge Base:** Although we strive to include vetted resources, there are times when the research base is limited or nonexistent. In these cases, we have included the best resources we could find, which may include newspaper articles, interviews with content specialists, organization websites, and other sources.

This memorandum is one in a series of quick-turnaround responses to specific questions posed by educators and policymakers in the Western region (Arizona, California, Nevada, Utah), which is served by the Regional Educational Laboratory West (REL West) at WestEd. This memorandum was prepared by REL West under a contract with the U.S. Department of Education’s Institute of Education Sciences (IES), Contract ED-IES-12-C-0002, administered by WestEd. Its content does not necessarily reflect the views or policies of IES or the U.S. Department of Education nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.