Background

Federal legislation requires each state to enact a consistent policy beginning in 2017-2018 across all districts and schools concerning the exemption of English Learners enrolled in U.S. schools for less than 12 months from the state’s English Language Arts (ELA) assessment. During the winter of 2016-2017, the Colorado Department of Education along with the Accountability Work Group and the Every Student Succeeds Act Hub Committee worked to establish such a policy for EL newcomers in Colorado. Previously when the choice to test was made locally, many districts assessed all English Learner (EL) newcomers regardless of language proficiency in order to have growth information for accountability reporting following the second year of testing. However, non-English proficient (NEP) students are unlikely to have obtained enough English to be able to meaningfully engage in the ELA assessment during their first year. This would mean that the observed score gains between the first and second year of testing for these students are more likely a reflection of the basic English proficiency skills that they have acquired rather than an accurate measure of English language Arts achievement.

The intention of the developed requirements is to limit state ELA assessment participation to only the EL newcomers with enough English proficiency to meaningfully engage with the Colorado Measures of Academic Success (CMAS) ELA and PSAT/SAT Evidence-based Reading and Writing (EBRW) construct. Similarly, for accountability determinations, the first year EL students will be included only when a meaningful connection to performance is likely to exist. The 2018 testing requirements and accountability inclusion rules for first year in U.S. English learners are presented below.

Assessment Participation Requirements

The 2018 ELA testing requirements for students are based on the length of time enrolled in a U.S. school and their English Learner classification. The specific administration rules are as follows:

- Students enrolled in a U.S. school for less than 12 months and classified as Fluent-English Proficient (FEP), based on WIDA-ACCESS Placement Test (W-APT) or WIDA Screener and a local body of evidence, are required to take the CMAS ELA assessment or PSAT/SAT EBRW assessment

- Students enrolled in a U.S. school for less than 12 months and classified as Limited-English Proficient (LEP), based on WIDA-ACCESS Placement Test (W-APT) or WIDA Screenr and a local body of evidence, are required to take the CMAS ELA assessment or PSAT/SAT EBRW assessment. LEP students enrolled in grades 3 or 4 may take the Colorado Spanish Language Arts (CSLA) assessment if assessment in Spanish is the better match to instruction.

- Students enrolled in a U.S. school for less than 12 months and classified as Non-English Proficient (NEP), based on W-APT/WIDA Screenr and a local body of evidence, may be exempt from the language arts assessment (see below)
  - NEP students enrolled in grades 3 or 4 whose native language is Spanish and who have received instruction in Spanish in that school year are required to take CSLA
NEP students not enrolled in grades 3 or 4, or NEP students whose native language is other than Spanish or is Spanish but who have not received instruction in Spanish language arts in the current school year, are exempt from the first year of the CMAS ELA or PSAT/SAT EBRW assessment.

Note that all students, regardless of English language proficiency and/or newcomer status are expected to take the math portions of the CMAS and PSAT/SAT assessments.

**Accountability Inclusion Rules**

The inclusion of first year in U.S. English Learner students within accountability determinations (i.e. including participation rate calculations, achievement calculations, and growth calculations) is dependent on both the testing status of a student along with the availability of prior year scores. The table below shows the testing expectations for first year in U.S. English Learners and where they will be included within accountability determinations based on the student English language designation and if they were tested in prior years.

<table>
<thead>
<tr>
<th>Test Availability</th>
<th>Will Students Test?</th>
<th>Included in Participation Calculations?</th>
<th>Included in Achievement Calculations?</th>
<th>Included in Growth Calculations?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tested in Year 1 (FEP)</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>Tested in Year 1 (LEP or NEP Parent opt-in)</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Not Tested in Year 1 (NEP)</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
</tr>
</tbody>
</table>

**Note**: The blue cells with highlighted text represent a difference in accountability outcomes between the two NEP/LEP pathways. For students whose parent/guardian opted their NEP child into testing, results will follow the same accountability inclusion rules as a LEP tester.

1 = prior year scores are unavailable for calculation.

**Where can I learn more?**

- For questions related to this document please contact, Marie Huchton at Huchton_M@cde.state.co.us
- Accountability resources: [http://www.cde.state.co.us/accountability/performanceframeworkresources](http://www.cde.state.co.us/accountability/performanceframeworkresources)
- View all CDE fact sheets: [www.cde.state.co.us/communications/factsheetsandfaqs](http://www.cde.state.co.us/communications/factsheetsandfaqs)