



COLORADO
Department of Education

**Accountability Work Group:
Testing First Year in US ELs on ELA Content
Assessment Decision Point**

November 21, 2016

The ESSA Accountability Work Group is made up of a diverse group of stakeholder perspectives, coming together to think through the decision points for Colorado's ESSA state plan, specific to school accountability. This presentation will share information around the decision point pertaining to testing first year in US ELs on the English Language Arts (abbreviated as ELA) Content Assessment.

Decision Point

- How should first year in US EL's be included in ELA testing, accountability, and reporting?

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The specific decision point is around whether Colorado should test ELs new to the US within the last twelve months on the state's English Language Arts assessment, and how those results should be used for state accountability and reporting.

Requirements: Proposed Federal Regulations

- **§200.16(a)(3): For ELs enrolled in a US school less than 12 months, the State may either-**
- **“(i)(A) Exempt** such an English learner from the **first administration** of the reading/language arts assessment;
 - (B) **Exclude** such an English learner's results on the assessments... in calculating the Academic **Achievement** and Progress in Achieving English Language Proficiency indicators in the **first year...** and
 - (C) **Include** such an English learner's results on the assessments in calculating the Academic **Achievement** and Progress in Achieving English Language Proficiency indicators in the **second year...** and every year of enrollment thereafter"
- **OR**

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ESSA Statute §1111(b)(3)(A) gives states flexibility in choosing whether to test EL students new to the US within the past 12 months on the state's ELA content assessment. The proposed federal regulations are easier to navigate and clarify the specific options available to states. According to proposed regulation 200.16(a)(3), For For ELs enrolled in a US school less than 12 months, the State may either-

“(i)(A) Exempt such an English learner from the first administration of the reading/language arts assessment;

(B) **Exclude** such an English learner's results on the assessments... in calculating the Academic **Achievement** and Progress in Achieving English Language Proficiency indicators in the **first year...** and

(C) **Include** such an English learner's results on the assessments in calculating the Academic **Achievement** and Progress in Achieving English Language Proficiency indicators in the **second year...** and every year of enrollment thereafter"

OR

Requirements: Proposed Federal Regulations

- **“(ii)(A) Assess**, and report the performance of, such an English learner on the assessments...
- (B) **Exclude** such an English learner's results on the assessments... in calculating the Academic **Achievement** indicator in the **first year**...
- (C) **Include** a measure of such an English learner's **growth** on the assessments... in calculating the Academic Progress indicator... in the **second year**... and
- (D) **Include** a measure of such an English learner's proficiency on the assessments... in calculating the Academic **Achievement** indicator in the **third year**... and every year of enrollment thereafter.”

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The state may choose to

“(ii)(A) Assess, and report the performance of, such an English learner on the assessments...

(B) **Exclude** such an English learner's results on the assessments... in calculating the Academic **Achievement** indicator in the **first year**...

(C) **Include** a measure of such an English learner's **growth** on the assessments... in calculating the Academic Progress indicator... in the **second year**... and

(D) **Include** a measure of such an English learner's proficiency on the assessments... in calculating the Academic **Achievement** indicator in the **third year**... and every year of enrollment thereafter.”

First Year in US English Learners: English Language Arts Assessment and Accountability						
	YEAR 1		Year 2		Year 3	
	Tested in ELA in Year 1	Did not Test in ELA in Year 1	Tested in ELA in Year 1	Did not Test in ELA in Year 1	Tested in ELA in Year 1	Did not Test in ELA in Year 1
Will students test?	YES	NO	YES	YES	YES	YES
Included in participation calculations?	YES	YES, if participated in ACCESS	YES	YES	YES	YES
Included in growth calculations?	NO, prior year's score not available	NO, prior year's score not available	YES	NO, prior year's score not available	YES	YES
Included in achievement calculations (mean scale score)?	NO	NO	NO	YES	YES	YES

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This slide provides a graphic representation of these two options with the accountability implications for participation, growth and achievement mapped over the course of three years.

Requirements: Proposed Federal Regulations

- **§200.16(a)(4):** "A State may choose one of the exceptions described" above "for recently arrived English learners and must— (i)(A) Apply the same exception to all recently arrived English learners in the State; or (B) Develop and consistently implement a **uniform statewide procedure** for all recently arrived English learners that, in determining whether such an exception is appropriate for an English learner, **considers the student's English language proficiency level** and that may, at a State's discretion, consider one or more of the student characteristics"

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Also specified under proposed federal regulation §200.16(a)(4): "A State may choose one of the exceptions described" above "for recently arrived English learners and must— (i)(A) Apply the same exception to all recently arrived English learners in the State; or (B) Develop and consistently implement a uniform statewide procedure for all recently arrived English learners that, in determining whether such an exception is appropriate for an English learner, considers the student's English language proficiency level and that may, at a State's discretion, consider one or more of the student characteristics"

Colorado Context

- Flexibility for states to either exempt or assess first year ELs (with the accompanying accountability reporting requirements) was allowed by USDE for 2015-16.
- CDE's Assessment Unit presented these options to the field and received mixed feedback. There was not consensus around adopting either approach statewide.
- For the 2015-16 and 2016-17 CMAS PARCC Administrations, individual districts were allowed to choose whether to test or exempt first year ELs.
- Colorado will need to adopt a single consistent EL newcomer testing policy to be implemented for 2017-18.

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To give a little bit of context into this issue's history in Colorado,

Flexibility for states to either exempt or assess first year ELs (with the accompanying accountability reporting requirements) was allowed by USDE for 2015-16.

CDE's Assessment Unit presented these options to the field and received mixed feedback. There was not consensus around adopting either approach statewide.

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Colorado will need to adopt a single consistent EL newcomer testing policy to be implemented for 2017-18.

What We've Heard

- The Accountability spoke has been collaborating with the Assessment spoke in reviewing the statutory requirements and determining the optimal path forward.
- The Culturally and Linguistically Diverse Education Stakeholder collaborative members were briefed at their October and November meetings and provided substantive feedback.
http://www.cde.state.co.us/cde_english/CLDEmeetings
- Members of the State Board of Education were presented with the initial recommendation at the October board meeting and gave recommendations for additional consideration.
- Additional regional meetings with district representatives of EL programming

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As part of both the original flexibility allowance and the current ESSA state plan creation, CDE has engaged with numerous stakeholder groups to collect feedback around the options for testing EL newcomers.

The Accountability spoke has been collaborating with the Assessment spoke in reviewing the statutory requirements and determining the optimal path forward.

The Culturally and Linguistically Diverse Education (CLDE) Stakeholder collaborative members were briefed at their October and November meetings and provided substantive feedback.

CLDE represent higher educators in linguistically diverse education, district representatives (small/large, urban/rural), advocacy groups (CABE, COTESOL, CO-NAME). More information can be found at the link below.

Members of the State Board of Education were presented with the initial recommendation at the October board meeting and gave recommendations for additional consideration.

Additional regional meetings with district representatives of EL programming

Accountability Spoke Proposed Procedure for Testing EL Newcomers

- If a student has been enrolled in a US school for less than 12 months and is classified as **Non-English Proficient (NEP)**- based on the WIDA screener and local body of evidence- he or she is **exempt** from taking the CMAS PARCC ELA assessment. A student's parents can opt the child into testing if they choose, and the score results will be used for accountability and growth calculations.
- If a student has been enrolled in a US school for less than 12 months and is classified as **Limited-English Proficient (LEP) or Fluent-English Proficient (FEP)**- based on the WIDA screener and local body of evidence- he or she should be **assessed** on the CMAS PARCC ELA assessment.

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The result of this consultation and collaboration has been a proposed statewide procedure for testing EL newcomers.

If a student has been enrolled in a US school for less than 12 months and is classified as Non-English Proficient (NEP)- based on the WIDA screener and local body of evidence- he or she is exempt from taking the CMAS PARCC ELA assessment. A student's parents can opt the child into testing if they choose, and the score results will be used for accountability and growth calculations.

If a student has been enrolled in a US school for less than 12 months and is classified as Limited-English Proficient (LEP) or Fluent-English Proficient (FEP)- based on the WIDA screener and local body of evidence- he or she should be assessed on the CMAS PARCC ELA assessment.

The flexibility to use English language proficiency as a factor for decision-making was explicitly allowed under proposed regulation and well received by all stakeholder groups consulted.

Additional Information

- CDE will work with stakeholders to create a standardized process for building a local body of evidence. Guidance will be provided around appropriate measures/indicators of progress in learning English and determining if a student should be re-categorized as LEP.
- For test registration and record keeping purposes, districts will need to change a student's official EL status in Data Pipeline from NEP to LEP if they plan to test the student on the ELA assessment.
- CDE will run checks between the assessment file and Data Pipeline to ensure consistency across district coding and testing practices for EL newcomers.

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Some additional steps will be take to ensure this proposed methodology is equitably applied across the state.

CDE will work with stakeholders to create a standardized process for building a local body of evidence. Guidance will be provided around appropriate measures/indicators of progress in learning English and determining if a student should be re-categorized as LEP.

For test registration and record keeping purposes, districts will need to change a student's official EL status in Data Pipeline from NEP to LEP if they plan to test the student on the ELA assessment.

CDE will run checks between the assessment file and Data Pipeline to ensure consistency across district coding and testing practices for EL newcomers.

Options Not Recommended

- Given the widely differing district preferences between testing and exemption and the regulatory requirement for a single uniform statewide procedure, a compromise solution seemed like the best balance of perspectives.
- At all public presentations of the initial Accountability spoke recommendation, there has been general approval of the proposed solution to exempt NEP and test LEP students in the US less than 1 year.
- Feedback around creating a standardized Body of Evidence and allowing parent opt-ins to be included for accountability reporting were incorporated into the original proposal.

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The Accountability Working Group considered many perspectives and alternative approaches before coming to a recommendation.

Given the widely differing district preferences between testing and exemption and the regulatory requirement for a single uniform statewide procedure, a compromise solution seemed like the best balance of perspectives.

At all public presentations of the initial Accountability spoke recommendation, there has been general approval of the proposed solution to exempt NEP and test LEP students in the US less than 1 year.

Feedback around creating a standardized Body of Evidence and allowing parent opt-ins to be included for accountability reporting were incorporated into the original proposal.

At all stages of the decision-making process, stakeholder feedback has been used to shape the policy currently being recommended.

Input Needed

- Please use this link to respond to the following questions:
<https://www.surveymonkey.com/r/JT7YXYC>
- Who are you?
 - Parent
 - Educator
 - Public
 - Hub member

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Through this presentation and the accompanying survey, CDE seeks an even wider audience of stakeholders to provide input on the proposed recommendation. The following questions will be included on the survey and open for comment:

Who are you?

- Parent
- Educator
- Public
- Hub member

Input Needed

- For ELs enrolled in US school for less than 1 year, do you support exempting non-English proficiency (NEP) students from one administration of the state ELA assessment while testing students demonstrating limited English proficiency (LEP)? (1= do not support, 5= strongly support)
- Are there any additional factors that the spoke committee should consider or investigate?

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For ELs enrolled in US school for less than 1 year, do you support exempting non-English proficiency (NEP) students from one administration of the state ELA assessment while testing students demonstrating limited English proficiency (LEP)? (On a scale of 1 to 5, with 1 being do not support and 5 being strongly support)

Are there any additional factors that the spoke committee should consider or investigate?

We greatly appreciate the time you have taken to understand this issue and provide your feedback. It will be a tremendous help as we further develop the ESSA state plan. Thank you.