

National Assessment Governing Board  
Students with Disabilities and English Language Learners Proposed Policy Changes  
*Public Hearings*  
*November 9, 2009 Washington, D.C.*

*Sharon Lewis, Research Director, Council of the Great City Schools*

Chairman Driscoll, members of NAGB, Dr. Orr, members of NAGB staff, and members of the audience. Thank you for the opportunity to respond to the reports on two recommended policy changes to NAEP testing of students with disabilities and English language learners.

As we know, “the National Assessment of Educational Progress (NAEP) is the only nationally representative and continuing assessment of what America’s students know and can do in various subject areas.

“Since NAEP assessments are administered uniformly using the same sets of test booklets across the nation, NAEP results serve as a common metric for all states and selected urban districts. The assessment stays essentially the same from year to year, with only carefully documented changes. This permits NAEP to provide a clear picture of student academic progress over time.”<sup>1</sup>

It is because of this statement and purpose of uniformity that we must pay special attention to which students are included and/or excluded from the assessment process.

NAEP data for the 2009 Math assessment show that the percentage of fourth-grade public school students identified as SD and/or ELL excluded, as a percentage of all identified SD and/or ELL students, ranged from a low of 5 in Alaska to a high of 25 in Maryland; with a National Public average of 10.

Because of this wide variation of exclusion rates one could question the validity of the comparisons as well as the representativeness of the sample. These proposed policy changes are designed to encourage as many students as possible to participate in NAEP and to significantly reduce the number of students excluded.

The Council of the Great City Schools shared these documents with representatives from the Trial Urban District Assessment (TUDA) districts last week during the Math Pre-Release Workshop.

While we applaud the goal of these proposed changes, several issues were raised. The concerns fall into 7 categories – Participation Rates, Bilingual Versions of the Assessments (non-

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<sup>1</sup> Institute of Education Statistics, “Nation’s Report Card Home Page”  
<http://nces.ed.gov/nationsreportcard/about/November5,2009>

Reading), Using Plain Language, ELL-Responsive Accommodations, Contextual Information, Incentives, and ELLs with IEPs.

### **Participation Rates**

- The panel recommends that at least 95% of ELLs who have been in U.S. schools for one year or more and are selected as part of the sample participate in the assessment.
  - We fully support the goal of 95% participation rate.
  - A clear definition of what is meant by one year should be provided. Is it 10 months? 12 months? Does it include time accumulated?
  - We recommend that one year be defined as 12 months of accumulated time in U.S. schools.

### **Bilingual Versions of the Assessments**

- The panel recommends that bilingual (Spanish & English) versions of the test be developed for the math, science, history, civics and subjects other than reading and writing assessments.
  - We support the development of a Spanish & English version of the assessment.
  - Bilingual versions in languages other than Spanish should also be developed – Chinese Mandarin, Hmong, Vietnamese, and Haitian Creole to name a few. These versions should be developed by the Department of Education and not individual jurisdictions.
  - We issue the standard cautions when creating bilingual versions of NAEP assessments. Translations are often inappropriate and words and/or phrases do not translate easily from one language to another in part due to the various dialects in each language.

### **Using Plain Language**

- The panel recommends that writing prompts, directions and items be written in plain language and that the reading passages not be modified in any way.
  - We agree that the reading passages should not be modified; however research must be conducted to ensure that modifying the prompts and directions does not alter the item difficulty.
  - There is a body of research around using Sheltered English that should be helpful when addressing this recommendation.

### **ELL-Responsive Accommodations**

- The panel recommends that word-to-word bilingual glossaries (without definitions) be developed. Furthermore, that a list of the words in this glossary in English should be provided to every jurisdiction participating in NAEP, so that states/districts could prepare a similar glossary for the languages other than Spanish.

- We support the use of bilingual glossaries in classrooms as well as assessments.
  - States and districts should not be responsible for developing and distributing these glossaries. This recommendation has the potential of creating inconsistency in NAEP administration; which, in turn, would defeat the goal of uniformity from which this policy based.
  - Moreover, the team stated that testing accommodations for students should mirror those accommodations that the student utilizes for his/her instruction. We recommend that research be conducted to review and analyze how this would affect the validity of student responses.
- The panel recommends that a block of items, clustered at the low end of the continuum of difficulty, be developed. The panel stated that “with such ‘targeted’ testing, standard errors would be reduced at the lower end of the continuum and better information would be available about student performance.”
    - We recognize the need to add additional items at both the upper and lower end of the continuum to increase the reliability of the measurement; however, we are concerned about the “appearance” that a group of students is being administered a block of items that is different from others. For ELLs and SD the teacher would identify which students would take this block of items. However, the panel also suggests that these “blocks” might also be used for low performing students. How would these students be identified? Is there a “screener” tests that these students would take? When would that test be administered?
    - We would need to make sure that students taking these “blocks” are never identified as being different in any way. And that these students, as well as others, are not aware that they have been singled out.
    - This recommendation also creates a testing burden. Students may take the “screener or locator assessment”, the English Language Assessment (if they are ELL), and the NAEP item blocks. Testing time would definitely increase.
    - We wonder whether testing technology has improved to the degree that traditional NAEP item blocks could be enhanced to include more items at both ends, without adding additional item blocks and minimally increasing testing time.

### **Contextual Information**

- The panel proposes creating a common English Language Proficiency Assessment.
- The panel recommends collecting background information of ELL test takers that include the number of years a student has lived in the United States, the number of years a student has attended schools in the United States, the number of years the student has received instruction primarily in English, and when applicable, the number of years since the student has exited ELL services or was reclassified.

- The panel recommends disaggregating and reporting NAEP data for former ELLs.
  - We would remind the panel that NAEP participation is voluntarily at the district, school, and student levels. These recommendations appear to fall into the “research” classification and therefore, should be treated as such. Therefore, we suggest that researchers follow guidelines for conducting research as defined by the jurisdiction’s Institutional Research Board (IRB).
  - We would also like to point out that students and parents may also be reluctant to answer these questions due to concerns from the Department of Immigration.

### **Incentives to Increase Participation Rate**

- The panel recommends that state and local decision makers receive new guidance encouraging high participation rates and that states and districts that do not attain the policy goal of 95% participation rates for ELLs and SD should be designated in NAEP reports as jurisdictions falling below the desired participation rate.
  - We support the notion that focus groups being convened to address this recommendation.
  - The panel’s recommendations fell short of any real guidance related to “incentives”. It appears that the only recommendations related to incentives are punitive in that these jurisdictions are identified.
  - Incentives must be more than identifying delinquent jurisdictions.

### **Ells Who Have IEPs**

- The panel recommends that students who are ELL and also have disabilities identified on an IEP be offered whatever additional special education accommodations are permitted by NAEP.
  - We agree with this recommendation.

In summary, the Council fully supports the goal of including more of the students selected as a part of the sample in NAEP assessments and testing these students in a more uniform manner. We do, however, have concerns with some of the panels’ recommendation, and suggest that NAGB move forward with caution.