

**ACCOMMODATIONS FOR STUDENTS  
WITH LIMITED ENGLISH PROFICIENCY  
(LEP)  
ON MINNESOTA STATEWIDE ASSESSMENTS**



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Information contained in this document is available in alternative formats to individuals with disabilities.

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This document provides guidelines on testing accommodations and modifications for students with limited English proficiency (LEP) that take Minnesota's statewide assessments. By removing distortions or biases created by a student's language difference, testing accommodations help to measure a student's knowledge and skills more accurately.

Accommodations do not alter a test's validity or reliability. Many accommodations are appropriate for any student, some are appropriate only for students with disabilities, and some apply only to LEP students. LEP students and students with disabilities do not necessarily require accommodations. Appropriate accommodations for state assessments are those that a student needs for classroom tests and instruction. Accommodations that have not previously been used with a student should not be introduced for the first time during a state assessment if the abrupt change would be distracting or confusing. For example, when using written translations for the math or writing tests, it is appropriate that the language of the student's instruction and the language of assessment match. Therefore, if a student recently had formal instruction in another country or has been in a bilingual program where literacy and content are taught in the primary language, then a translation accommodation may be appropriate. Accommodations provide students with a fair opportunity to show what they know and can do.

Modifications are large adjustments in test procedure that significantly change the meaning of the results. Modifications are appropriate only for students with disabilities—not LEP or other students—to ensure their inclusion in the assessment program. *See* 34 C.F.R. § 300.138. Examples of modifications are exemption from testing and lowering the passing score.

A set of guidelines for testing students with disabilities is also available on the department's web site. For an individual who has both LEP and disability-related needs, consult both sets of guidelines and the student's teachers.

## **DEFINITION OF TERMS**

**Accommodations.** Accommodations are minor adjustments made to the test setting, to the timing of the test, to the presentation format, or to the response format that do not compromise the validity, reliability or security of the test. Accommodations are permitted for both system accountability testing (MCA) and diploma testing (BST). Not every accommodation is appropriate for every test. See the District/School Coordinator Manual for the specific accommodations permitted for each subject. The manual identifies accommodations that require special test books, materials or handling instructions; the district must request these accommodated materials on the Registration/Enrollment Form. Appendix A provides a quick reference table of several types of accommodations and codes (Tables 4, 5 and 6).

When selecting accommodations for an LEP student, consider the needs of the student in daily instructional situations as well as secure testing situations. LEP students may need multiple accommodations such as someone to translate directions and a small group setting. If the district is considering an accommodation not listed in these guidelines, check first with the state's Assessment and Testing and/or LEP units. See the end of this document for contacts.

**Modifications.** Modifications are adjustments to the passing standard, the test, or the testing conditions that are large enough to change the difficulty of the test. Modifications are available only to students with disabilities who have an IEP or 504 plan.

**Exemptions.** Exemptions are allowed for those very few students whose goals and objectives of their IEP or 504 plan are not consistent with or do not address the test content or standard. These students must be assessed using the state’s Alternate Assessment. Although there are still exemptions for LEP students on the state’s diploma tests, the Elementary and Secondary Education Act of 2001 (No Child Left Behind) does not permit states to exempt *any* students, including LEP, from accountability measures.

**Alternate Assessment.** The Individuals with Disabilities Education Act (IDEA, 1997) requires states to evaluate students with an alternate assessment when a student is exempted from a state accountability test (34 C.F.R. § 300.138 (b)). Minnesota has developed an Alternate Assessment (rating scales completed by teachers) that assesses Developmental Academic Skills or Functional Living Skills. This instrument is available on the MDE special education website at <http://education.state.mn.us/>. The Alternate Assessment does not apply to LEP students unless they have an IEP or 504 plan.

## MINNESOTA HAS THREE STATEWIDE ASSESSMENTS

The State of Minnesota measures the educational progress of students with three types of tests. Each type was designed to collect a particular set of data about schools and students.

### Accountability Tests

Accountability testing with Minnesota Comprehensive Assessments (MCA) currently occurs at grades three, five, seven, ten and eleven. The information from these tests is used to compare the academic achievement of groups of students over time. Test results are disaggregated to provide information on various groups of students. In 2003-04, Minnesota will be developing and piloting reading and math tests for grades four, six and eight to comply with the Title I testing requirements of the No Child Left Behind Act of 2001. Science tests will be added at a later date. Specific grades and subjects for the current MCA are indicated in Table 1:

<b>Table 1. ACCOUNTABILITY TESTS</b>		
<b>Grade</b>	<b>Subject(s)</b>	<b>Test</b>
3	Reading , Mathematics	MCA
5	Reading, Mathematics, Written Composition	MCA
7	Reading , Mathematics	MCA
10	Reading, Written Composition*	MCA
11	Mathematics	MCA

\*Results from the tenth-grade writing test are primarily used as BST scores and fulfill the Basic Skills graduation requirement. Papers scoring a four on the BST rubric are re-scored using the more rigorous MCA rubric. Results are used to create an accountability snapshot of all students in school.

See FAQ for exemption information on the MCA.

### Diploma Tests

To be eligible for a Minnesota diploma, students must meet local school requirements and have passing scores on the Basic Skills Tests (BST). The BST requirement ensures that all graduates have at least minimum levels of literacy in reading, mathematics and writing. Students are required to begin testing in reading and mathematics in eighth grade, and written composition in tenth grade (see Table 2):

<b>Table 2. DIPLOMA TESTS</b>		
<b>Grade*</b>	<b>Subject(s)</b>	<b>Test</b>
8	Reading, Mathematics	BST
10	Written Composition	BST

\*The BST is first administered at these grade levels. Students can retake these tests in later grades.

See FAQ for exemption information on the BST.

### Language Proficiency Tests

There are two language proficiency assessments for students identified as LEP (Table 3). LEP students must be assessed with the Test of Emerging Academic English (TEAE) in grades 3-12, and the Minnesota Student Oral Language Observation Matrix (MN SOLOM) in grades K-12. The TEAE measures reading and writing, and the MN SOLOM measures speaking and listening.

<b>Table 3. TESTS FOR LEP STUDENTS</b>		
<b>Grades</b>	<b>Subject(s)</b>	<b>Test</b>
K-2	Listening, Speaking	MN SOLOM
3-12	Listening, Speaking, Reading & Writing	MN SOLOM & TEAE

See FAQ on exemption information for the TEAE and MN SOLOM.

## FREQUENTLY ASKED QUESTIONS

### **1. Are LEP students included in the accountability tests (MCAs) and the diploma tests (BSTs)?**

Yes. Students with limited English proficiency are included in both testing series, but the rules for inclusion vary.

### **2. How are LEP students included in the accountability tests (MCAs)?**

Students with limited English proficiency must participate in the accountability testing. Appropriate accommodations may be used in order to meet each LEP student's needs. See Appendix A for a list of common accommodations.

LEP students can no longer be exempted from the MCAs. The Elementary and Secondary Education Act of 2001 (No Child Left Behind) requires all students to be assessed regardless of length of time a student is in a district, state, or the country. The twelve calendar month exemptions for LEP students on the MCA reading and math (and eventually science) are no longer available. **Note: All MCAs are accountability tests.**

### **3. How are LEP students included in the diploma tests (BSTs)?**

There are two types of exemption periods for LEP students: a one-year temporary exemption and a three-year LEP exemption for diploma purposes.

#### One-year temporary exemption:

Eighth grade LEP students who have been in the United States for fewer than twelve calendar months may be exempted from the first administration of the math and reading BST. Tenth grade LEP students who have been in the United States for fewer than twelve calendar months may be exempted from the first administration of the writing BST.

#### Three-year LEP exemption for diploma:

To receive a diploma in Minnesota, students with limited English proficiency must take and pass the BST, unless they have been enrolled for fewer than three consecutive academic years in a school where the primary language of instruction was English. Exemptions for individual LEP students must be reviewed annually through a process established by the district.

### **4. Are the BST exemption periods mandatory?**

No. Students should be encouraged to attempt the BST when they are ready to do so, regardless of exemption status. The exemption option is in place to protect students from test anxiety. Sometimes students with limited English skills who are eligible for an exemption can pass the math test, especially if they have had formal schooling in mathematics in their home language. Further, receiving a passing score during the exemption period would be counted towards the student's graduation requirements.

## **5. How do we establish the exemption period on BST for a particular student?**

Districts determine eligibility for the one-year temporary exemption using the student data available. It is not legal to request visas or passports. If no student data is available, a conversation with the parents, family, caring adult, and/or the student can help.

Districts also determine eligibility for the three-year LEP exemption using student data available. Documentation at the district level is required, including the proper coding on the student's test booklets and notation in the student's file.

Federal Title III Guidelines define "three full academic years: as:

Immigrant children and youth are students who were not born in any state and have not been attending one or more schools in any one or more states for more than 3 full academic years. Some states define an academic year as 9 months, while other states count an academic year as 10 months. If a student has been in different schools in different school districts and even in different states, the number of months that the student has been in school in any one or more states must not add up to a total of more than three full academic years. (OELA guidelines, April 30, 2002)

This definition could also be applied to Minnesota's state-level BST exemption. For example, if a district has a 10-month school year, once the LEP student has had 30 consecutive months of instruction in English, the exemption period would no longer be valid. In this example, summer school would not be included as part of the 10-month school year.

## **6. Can an exempt LEP student graduate?**

Yes. If all district requirements are met, a student who is exempt from the BST can graduate. However, students may continue their public school education until age twenty-one and may retest on the BST each year. Students should be counseled on their options in a timely manner so that they can make the best decisions possible.

## **7. What is the state standard for a passing score on the BST?**

The passing score for Reading and Mathematics for the graduation year 2001 and later is a scale score of 600 which corresponds to a 75% passing rate; for Written Composition it is 3 (a score that ranges from 1 to 4). Students who meet or exceed these scores have fulfilled the state's BST graduation requirements. Beginning with the eighth grade opportunity in reading and math, students have a total of eleven chances to pass the tests. Beginning in the ninth grade, schools are required to provide help to students who have not yet passed the BST. Beginning with the tenth grade opportunity in written composition, students have a total of six chances to pass the test.

**8. What kinds of score designations are possible for LEP students who take the BST?**

<b>LEP STUDENT ELIGIBILITY</b>	<b>NOTATION ON TRANSCRIPT</b>
LEP students who took the BST under regular or accommodated conditions.	PS - Passed at the State level or XS - Did not pass at the State level
LEP students who took a state-validated translation of the math BST or the written composition prompt of the BST/MCA.	PS - Passed at the State-validated translation level or XS - Did not pass at the State-validated translation level
LEP students who took a non-state-validated translation of the math BST or the written composition prompt of the BST/MCA.	PT - Passed a translated test or XT - Did not pass a translated test
LEP students who have been in an English-speaking school for fewer than three consecutive academic years of English instruction.	EX - Exempt

**9. How are students identified as LEP?**

All LEP students must take the language proficiency tests (TEAE and MN SOLOM). A student is considered LEP if:

- a. The student’s home language is not English. The home language questionnaire (HLQ) must be given to every student entering the district for the first time, regardless of perceived native language; and
- b. The student lacks the English language skills necessary to access the curriculum without linguistic support as determined by developmentally appropriate measures and practices (observations, teacher judgment, parent recommendations, and/or developmentally appropriate assessment instruments).

Some accommodations are available to any student who takes the TEAE (see Appendix A; Table 4); many are available to students with IEP/504 plans. If the student is exempt because of an IEP/504 designation, that student must be assessed on the Alternate Assessment in reading and writing at least once during the academic year.

The MN SOLOM does not have any accommodations; teacher observation format lends itself well to rating most students. Students may be exempt from the MN SOLOM because of IEP/504 status, and this decision should be made in consultation with the student’s IEP team.

**10. What kinds of accommodations are permitted for LEP students?**

An accommodation is defined as any change in testing conditions that does not alter the validity, reliability or security of the tests. Accommodations are permitted in the areas of:

- Setting
- Scheduling
- Presentation Format
- Response Format

When selecting accommodations for students, the teacher should consider the needs of the LEP student in daily instructional situations as well as any additional needs that might arise in a secure testing situation. Students may require multiple accommodations such as interpreted directions and a small group setting. Practice tests are available to familiarize teachers and students with the format of the actual test.

**11. Can all accommodations in Tables 4-6 of Appendix A be used for all of Minnesota’s tests (MCA, BST, TEAE and MN SOLOM)?**

The accommodations in Table 4 are available for the MCA, BST, and TEAE, where noted. The accommodations in Table 5 and Table 6 are available for the MCA and BST. The MN SOLOM does not have any accommodations; the teacher observation format lends itself well to rating most students.

**12. Which accommodations work best for LEP students?**

When selecting accommodations for an LEP student, consider the needs of the student in daily instructional situations and in a secure testing situation. LEP students may require multiple accommodations such as use of a translator for directions and a small group setting. If the district wants to provide an accommodation not listed in these guidelines, please check first with the state’s Assessment and Testing unit or the LEP unit.

Accommodations for state assessments are those a student would use regularly for classroom tests and instruction. Accommodations that have not previously been used with a student should not be introduced for the first time during a state assessment, as the abrupt change could be distracting or confusing. For example, when using written math or writing translations, it is appropriate to match the language of the student’s instruction with the language of assessment. For example, when using written translations for the math or writing tests, it is appropriate that the language of the student’s instruction and the language of assessment match. Therefore, if a student recently had formal instruction in another country or has been in a bilingual program where literacy and content are taught in the primary language, then a translation accommodation may be appropriate. A collaborative dialogue between the ESL/bilingual, general education teachers, and parents and families can help determine what is best for the individual student based on the guidelines above.

**13. Can an LEP student have more than one accommodation?**

Yes, see number 7 above.

#### **14. How is eligibility for testing accommodations determined?**

Eligibility for testing accommodations is determined through a local district process (Minn. Rules 3501.0100). A process must be established in each local district to determine an appropriate course of action for testing students whose first language is not English. District personnel, teachers of LEP students and parents of LEP students must be involved in establishing this process. Districts are encouraged to establish a committee that is representative of their specific LEP populations. Also, districts are encouraged to provide translators, if necessary, to facilitate community involvement.

#### **15. What translations are available for the statewide tests?**

Mathematics tests are available in a bilingual form. Writing prompts are available as translated only (not bilingual). In the 2003-2004 school year, the following languages are offered:

- Hmong
- Somali
- Spanish
- Vietnamese

Oral translations of directions, writing prompts and math problems in languages other than these four are possible LEP accommodations. It is the district's responsibility to hire qualified translators and document the process according to the District Test Coordinator's Manual. The usefulness and reliability of this LEP accommodation is under review and may change for future testing upon notice to districts.

Written translation of the test into languages other than the four cited above is not an option. If you have questions about this, please check with the state's Assessment and Testing unit or the LEP unit. See the end of this document for contacts.

#### **16. How do districts find translators?**

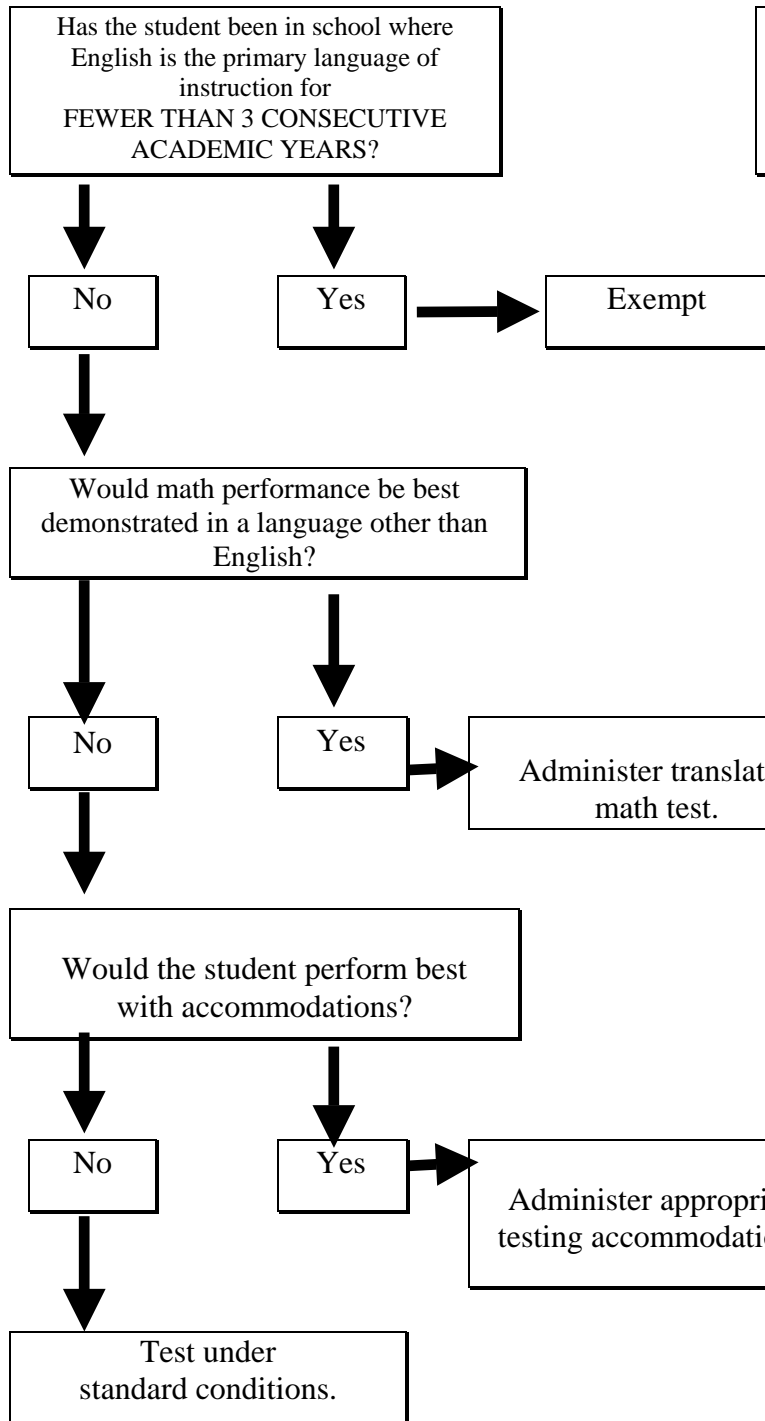
Districts must hire qualified translators through a local process. MDE and Metro ECSU have set up an online database of language interpreters. The database can be accessed at: <http://www.ecsu.k12.mn.us/interpreter/>

#### **17. How do districts work with translators?**

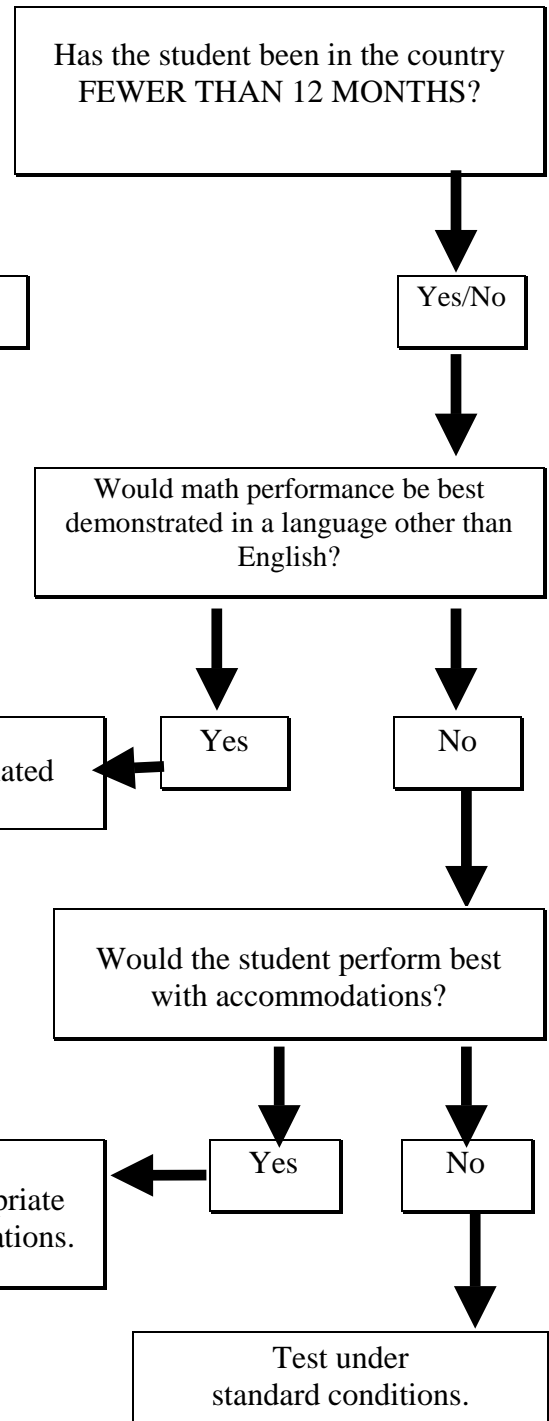
Translators are not allowed to see the secure test materials until the day of the test and must sign a Non-Disclosure Form (see manuals) prior to doing the translation. Further, the translator must write down the translation and submit it to the testing vendor. See the District Test Coordinator's Manuals for details on how to document this process. The usefulness and reliability of this LEP accommodation is under review and may change for future testing upon notice to districts.

# TESTING DECISIONS: LIMITED ENGLISH PROFICIENCY STUDENTS

## DIPLOMA TESTING



## ACCOUNTABILITY TESTING



## Appendix A

**Table 4: COMMON ACCOMMODATIONS PERMITTED FOR ALL STUDENTS on the MCA, BST, and TEAE**

Table 4 provides detailed information about some common accommodations that are permissible for all students. Passing the BST with these accommodations will result in a “Pass State” notation on the transcript. Note the accommodation code that must be entered in the student’s answer document.

<b>Common Accommodations Permitted for ALL Students</b>		
<b>ACCOMMODATION</b>	<b>ASSESSMENT</b>	<b>CODE</b>
<b>Extended time.</b> While each test has a suggested amount of time for test administration, there is no limit to the amount of time a student may take within the officially designated test day. Every student should be given sufficient time to respond to every test item on that day.	<b>Mathematics Reading Written Composition</b>	<b>OA</b>
<b>Individual or small group administration.</b> For students who have a need to test alone or with a small group of students.	<b>Mathematics Reading Written Composition</b>	<b>OA</b>
<b>Special settings.</b> Tests may be administered in rooms with special lighting, acoustics or furniture to accommodate needs.	<b>Mathematics Reading Written Composition</b>	<b>OA</b>
<b>Adjusted testing time.</b> Students may test at any time during the officially designated test day to accommodate affects of medication, health status or other circumstances.	<b>Mathematics Reading Written Composition</b>	<b>OA</b>
<b>Respond directly in test books.</b> Students may record answers directly onto the test books. This includes using highlighters in the reading books or working math problems in the mathematics books. General education students must transfer their own answers onto a scannable answer document. In the case of IEP or 504 students, answers must be transferred onto a scannable answer document by school testing personnel. Transfer of answers must be documented (including the names of school personnel involved) on the Test Administration Report. Be sure to check that answers are transferred exactly as the student chose.  Grade 3 students have scannable Test/Answer Books. Answer documents must be written in pencil, not ink.	<b>Mathematics Reading TEAE</b>	<b>WD</b>
<b>Reading aids</b> allowed include highlighters, colored plastic overlays, and markers.	<b>Mathematics Reading Written Composition TEAE</b>	<b>OA</b>
An <b>abacus</b> may be used to substitute for pencil and paper, as the calculations are still done mentally by the student.	<b>Mathematics</b>	<b>OA</b>

**Table 5: PRESENTATION ACCOMMODATIONS PERMITTED FOR LEP, IEP/504 STUDENTS ON THE MCA AND BST**

Table 5 provides accommodations that are only available to qualified students (LEP, IEP/504). Passing the BST with these accommodations will result in a "**Pass State**" notation on the transcript (after April 1 of a student's senior year, regular education students are eligible for any accommodation).

<b>Presentation Accommodations Permitted for LEP, IEP/504 Students</b>		
<b>ACCOMMODATION</b>	<b>ASSESSMENT</b>	<b>CODE</b>
<b>Clarification or Translation/Interpretation of Directions</b> may be given in any format or language necessary to accommodate students (repeating directions in English, interpreting directions into another language, etc.). Test administrators must use the script in the test manual to explain the task to students. They are not allowed to go beyond the script in giving or clarifying directions. Directions are in the Classroom Monitor Directions. Manuals are non-secure documents and should be reviewed prior to test administration.	<b>Mathematics Reading Written Composition</b>	<b>TD</b>
<b>*Short Segment test books</b> may be ordered for students who are unable to take the entire test in one sitting. These tests may be administered only on the official test day. (There are no short segment test books for 3 <sup>rd</sup> and 5 <sup>th</sup> grade MCA.)	<b>Mathematics Reading</b>	<b>SS</b>
<b>*English Audiocassettes</b> may be provided for students who have difficulty with printed material. The student should use headphones with the cassette or test alone.	<b>Mathematics</b>	<b>MC</b>
<b>*An English script of the audiocassette</b> may be provided for testing personnel to read the Mathematics test for any student who had difficulty with printed material and for whom the audiocassette is not appropriate.	<b>Mathematics</b>	<b>MS</b>
<b>*Special Order Materials</b>		

**Table 6: PRESENTATION ACCOMMODATIONS PERMITTED FOR LEP STUDENTS ONLY ON THE MCA and BST**

Table 6 describes accommodations only available to LEP students. Passing the BST with these accommodations will result in a "**Pass Translate**" notation on the transcript (after April 1 of a student's senior year, regular education students are eligible for any accommodation).

<b>Table 6. Presentation Accommodation Permitted for LEP Students Only</b>		
<b>ACCOMMODATION</b>	<b>ASSESSMENT</b>	<b>CODE</b>
* <b>Bilingual test books</b> may be ordered for students who need a translated version of the test. Bilingual test books are available in Hmong, Somali, Spanish and Vietnamese. Writing prompts are available as translated only (not bilingual).	<b>Mathematics Written Composition</b>	<b>SP, HM, SO, VT, or OL</b>
* <b>Translated audiocassettes</b> may be provided for students who have difficulty with printed material. Translated audiocassettes are available in Hmong, Somali, Spanish or Vietnamese. Cassettes should be used with headphones or in individual situations.	<b>Mathematics</b>	<b>MC</b>
* <b>A bilingual script of the audiocassette</b> may be provided for testing personnel to read or interpret the Mathematics test for any student who had difficulty with printed material and for whom the audiocassette is not appropriate. Bilingual scripts are available in Hmong, Somali, Spanish, or Vietnamese.	<b>Mathematics</b>	<b>MS</b>
*Special Order Materials		

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