



English Language Learners and NCLB Testing Requirements

1. Which state assessments are English language learners (ELLs) required to take?

NCLB requires that ELLs take the same state assessments as all other students:

- Reading/English language arts,
- Math, and
- Science (starting in school year 2007-08).

Like all other students, ELLs will be tested in reading and math each year in grades 3-8, and once during high school. Science assessments are required once in elementary school, once in middle school and once in high school.

2. In addition to the state assessments, does the law require ELLs to take other assessments?

Yes. Under Title I and Title III of the law, districts also must annually (in kindergarten through grade 12) assess ELLs in English language proficiency—including reading, writing, speaking and listening.

3. Are states or districts allowed to exempt ELLs from taking the state assessments?

No. ELLs must be included in the state assessment system. During their first year of enrollment in U.S. schools, ELLs are not required by the law to take the reading/English language arts assessment. However, during this first year, they still must take an English proficiency assessment and participate in the math assessment.

4. What accommodations are allowable?

As an accommodation, ELLs may take the reading/English language arts state assessment in their native language for three to five years. States are only required to develop and administer native language assessments “to the extent practicable.” Other accommodations that may be allowed by states include: small group administration, extra time or flexible scheduling, simplified instructions, dictionaries, recorded native language instructions, and recorded responses by students in their native language.

5. For how many years are ELLs allowed to take the reading/English language arts assessment in their native language?

Except for in Puerto Rico, ELLs must take the reading/English language arts assessment in English after they have attended public school in the United States for three consecutive years. On a case-by-case basis, districts may continue to administer the assessment in the student’s native language for an additional two years.

6. For how many years are ELLs allowed to take the math or science assessments in their native language?

The law does not limit how many years ELL students are allowed to take the math or science assessments in their native language. However, states may set a time limit for eligibility to take these assessments.

7. Are the test scores of ELLs counted toward AYP calculations during their first year of enrollment in U.S. schools?

During this first year, states may include results from the math assessment, but are not required to do so by the law.

However, ELLs' participation in the math and English language proficiency assessments will be included in NCLB's 95 percent participation requirement.

8. Once students exit the ELL subgroup, can their subsequent test results be counted toward the AYP calculations of the ELL subgroup?

Yes. A state may include in the ELL subgroup a former ELL for up to two years after exiting the subgroup.

9. Once students exit the ELL subgroup, do they continue taking the English language proficiency assessments?

No.

10. Once students exit the ELL subgroup, do they continue receiving language services?

No.

11. Does the allocation of Title III funds include the number of students who have exited the ELL subgroup but whose test scores are still counted toward AYP?

No. Even if these students' test scores are counted toward AYP calculations, the students themselves should not be counted as recipients of Title III funds.