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ABSTRACT

This study shows the relationship between English language proficiency and achievement. A consistent pattern is demonstrated that the English proficiency level of English as a second language (ESL) students can predict student performance on state measures --the high stakes Texas Educational Assessment of Academic Skills (TAAS). TAAS is a comprehensive assessment of the state-mandated curriculum in all subjects. Data indicates that students who have yet to reach a certain level of English language proficiency will not perform well on assessment measures of English, regardless of the subject being tested. It is argued that until ESL students have established a certain level of English language proficiency, it remains inappropriate for achievement tests in English to be used for student and school district performance accountability. This study also demonstrates that an underlying concern for the state of Texas should be that many ESL limited-English-proficient (LEP) students are taking more than 4 years to reach a minimum level of English. Efforts by the state should instead be focused on facilitating an appropriate timeline for LEP students to reach minimum levels of proficiency. Data-rich tables and figures appear throughout the text and appendices contain official state policy documents. Appended are the state test definitions and LEP Testing Policy, the history of State LEP Exemption Policy, and the Local District Language Proficiency Test. (KFT)

New State LEP Testing Policy in Texas: Is it an Appropriate Accountability Measure for Recent ESL Immigrants?

Introduction

High-stakes testing for PreK-12 is very prevalent among Texas schools. Accountability remains a driving force and AERA has recognized this by bringing forth a policy that is based on a shared vision that high standards of achievement improve the quality of education in our nation. AERA also recognizes that reliance on misleading or misrepresentative results may cause serious harm (AERA Policy 2000).

It is in this light that assurances of appropriate accommodations must be in place when testing limited English proficient (LEP) students. However, the state of Texas[1] is requiring all LEP students to test in English or Spanish in grades 3-8 and 10. For students in bilingual education and in grades 3-6, the State accommodates these students because they have the option to test in Spanish. ESL students in grade 3-6 or in grades 7-8 and 10 do not have a valid option since their instruction has been in English. Therefore, their only option is to test in English. Many of these students are in their first, second, or third year in the United States and are at low levels of English proficiency. These are the students for which there are no accommodations and consequently their achievement data result in chance scores and violate the AERA policy against misrepresentative data. Achievement data for ESL students at low levels of English proficiency will not be a measure of achievement since these students do not yet have the language to address the test.

Purpose and Scope

This study will show that there is a relationship between English language proficiency and achievement. A consistent pattern will be demonstrated that the English proficiency level of ESL students can predict student performance on state and local assessment measures. Data will indicate that ESL students who have yet to reach a certain level of English proficiency will not perform well on assessment measures in English. Until ESL students have established some English language proficiency, it remains inappropriate for achievement assessments in English to be used for accountability. This study will also demonstrate the underlying concern that should be addressed by the state: *many LEP students are taking more than 4 years to reach a minimum level of English.* Efforts by the State should be instead to facilitate an appropriate timeline for LEP students to reach minimum levels of proficiency.

[1] Texas Administrative Code §101.3 -- Testing Accommodations and Exemptions (Adopted by the State Board of Education in November 1999. Effective December 5, 1999)

Methodology

The paper will first provide a background of testing LEP students and the testing policy for Texas. It will then establish that there is a relationship between proficiency levels and years in the program for both the *WMLS* and the *RPTE*. Finally, results of an ANOVA analysis will be discussed that establishes a relationship between proficiency levels and achievement by showing performance of ESL students on *TAAS* based on proficiency levels for three years: Spring 1998 to Spring 2000.

Results

Appropriateness of Testing LEP Students

Testing generally has two major purposes: 1) to diagnose student strengths and weaknesses and, 2) to provide an accountability measure. In order to accomplish either of these purposes, the student must be able to respond reliably to the test. Reliability is the consistency with which an instrument measures whatever it is designed to measure. Reliability is a necessary but not sufficient precursor to validity. In other words, if a test is not reliable, it generally is not valid and is certainly not useful for either of the purposes mentioned.

Testing students who cannot read nor write in English, with an English test produces chance scores. Chance scores contribute to low reliability because students have differing levels of luck on different items. Therefore, if a student cannot function in English, it makes no sense to administer the test to that student in English.

It is not only not useful to test non-English-speaking children in English because one does not get useful scores from this practice, it is also unethical because it leaves students feeling that they have no mastery of the material when in actuality they merely can't read the language of the test. This practice often unfairly labels students and these erroneous labels often stay with the student for their entire educational program. The way to increase the percentage tested among non-English speaking students is to provide them with tests that measure their progress toward gaining reading proficiency in English, or if they are in Spanish instructional programs, test in Spanish.

To this end, the American Educational Research Association (AERA) has adopted a position statement on high-stakes testing. Their position is based on the *1999 Standards for Educational and Psychological Testing,* which is endorsed by APA and NCME, and represents a professional consensus concerning sound and appropriate test use in education and psychology.

- They recognize that the absence of appropriate educational resources or in situations where the tests are flawed in design or interpretation, reliance on misleading or misrepresentative results may cause serious harm.

- They recognize there has to be appropriate attention to language differences among examinees. If the student lacks mastery of the language in which a test is given, then that test becomes, in part, a test of language proficiency. Unless a primary purpose of the test is to evaluate language

proficiency, it should *not* be used with students who cannot understand the instructions or the language of the test itself. If English language learners are tested in English, their performance should be interpreted in the light of their language proficiency.

State Testing Policy in Texas

The state of Texas has a statewide criterion-referenced assessment named the *Texas Educational Assessment of Academic Skills (TAAS).* The *TAAS* measures the statewide curriculum in reading and mathematics at Grades 3 through 8 and the Grade 10 (exit level); in writing in Grades 4, 8, and the exit level; and in science and social students at Grade 8. A Spanish-version *TAAS* tests are administered at Grades 3 through 6. Satisfactory performance on the *TAAS* exit level tests is a prerequisite to a high school diploma. (For more information on the State tests see Appendix A.)

The *TAAS* tests represent a more comprehensive assessment of the state-mandated curriculum than in previous year where only minimum basic skills were measured. The *TAAS* tests assess higher-order thinking skills and problem-solving ability. The test is also part of the State Accountability System where schools are ranked into categories with low-performing being the lowest.

Also part of the State assessment program, the *Reading Proficiency Tests in English (RPTE)* is a test given annually to LEP students who have not yet reached a level of advanced. The assessment measures annual growth in English reading proficiency. The baseline administration of the *RPTE* was given during the 1999-2000 school year.

Over the last ten years and prior to 1999-2000, schools were permitted to grant students a LEP exemption from *TAAS* for up to three years beginning with Grade 3. So theoretically, LEP students could be exempted from statewide assessment until Grade 6 whether they entered at Grade 1 or Grade 3. In the 1999-2000 school year, the State Board of Education took a step to include more LEP students in the assessment system by changing its rule on exemptions. The new rule disallowed LEP exemptions for nonimmigrant LEP students and linked the three years of exemption for immigrants to the first three years of enrollment in U. S. schools. This meant that nonimmigrant LEP students who had been in school since Grade 1 would test in Grade 4 in English or Spanish. The state exemption rate of LEP students dropped from 20 percent to 10 percent. (See Appendix B for a chronology history of the State Exemption Policy)

At the same time that the State was negotiating the change, Dallas was implementing a 30-month rule that forced LEP students to test in English by the end of their fourth year in school. This change was analogous with the State rule.

However for the 2000-2001 school year, Senate Bill 103 has further decreased the number of exemptions for immigrant students. The legislation mandates that the exemption period be reduced to one year and applies only to recent unschooled immigrants.

Dallas's exemption rate dropped from 35% to 18% when the 1999-2000 rule took effect. Under the 2000-2001 rule, an analysis estimated that the exemption rate will be 4%. This also means that 14% who will be tested have been in the U. S. for less than three years. The analysis also predicted that 50 schools would become low-performing based solely on the achievement levels of the LEP students.

TEA's Summary of Findings Regarding the Assessment of LEP Students

As a result of the new law, Senate Bill 104, TEA commissioned Beck Evaluation and Testing Associates (BETA) Inc. to study the appropriateness of the law. The report[3] provided results of interviews with a National Advisory Panel and with a regional focus group and results of a statewide survey of parents, students, interested educators, and other community members. Detailed summaries of the interviews and surveys were provided, but in all, the results indicated the need for more time before LEP students are tested with a high stakes assessment.

To the question of whether there should be any other changes to the assessment system for LEP students, BETA's findings were as follows:

> Limiting *TAAS* exemptions to the first year in U. S. schools is not advisable. The exemption policy should be expanded to allow LEP students for whom a primary language assessment is unavailable or inappropriate more time to acquire the language proficiency needed to demonstrate their academic skills in a valid, reliable, and equitable manner on *TAAS*.
>
> The *RPTE* provides an appropriate way to include all LEP students in the assessment system who are not yet taking *TAAS* in English.

We concur with the results that BETA provided. Their results were based on the opinions of experts, educators, parents, students, and community members. What follows are data to substantiate and validate those opinions.

Relationship Between English Proficiency and Years in the Program

Table 1 shows the number of ESL students in the District over the last three years by the number of years the program. The numbers of new ESL students continues to increase over the last three years. The students in the District in years 1 and 2 are the students who will be affected by the new State testing policy; over 4,000 students. Table 2 provides the numbers by grade.

Figure 1 provides the breakdown of the ESL students by years in the District and by the District's language proficiency test; the *Woodcock-Muńoz Language Survey* (*WMLS*). (The *WMLS* is the language proficiency test the District has used for the last five years. See Appendix C for more information on the *WMLS*.) ESL students at different levels of English proficiency have scored consistently the same over the last three years. The data show that over

[3] *Study of Possible Expansion of the Assessment System for Limited English Proficient Students*, A Report to the 77th Texas legislature from the Texas Education Agency, December 1, 2000. (www.tea.state.tx.us/student.assessment/lep/lepstudy/index/html)

70 percent of year 1 students are at proficiency levels 1 or 2. These students are considered as having negligible or are very limited in English. Figure 2 shows the breakdown of the *RPTE* proficiency levels by years in the program of the baseline year. These data mirror the *WMLS* patterns in that over 70 percent of year 1 students are at the lowest level of proficiency. (Appendix A provides the information relative to the levels of both the *WMLS* and the *RPTE*.)

Table 1
Number of ESL Students (Grade 3-Grade 8) by Years LEP, 1998-2000

Years LEP	1998	1999	2000
1	1,535	1,726	2,198
2	1,600	1,400	1,873
3	1,896	1,405	1,329
4	2,056	2,867	2,277
5	2,748	2,794	3,744
6	2,485	2,572	2,799
7	1,759	2,216	2,338
8	1,513	1,617	1,947
9	1,859	1,251	1,357
10		810	725
11			181

Table 2
Number of ESL Students by Years LEP and Grade, Year 2000

	Grade						
Years LEP	3	4	5	6	7	8	Total
1	286	366	348	366	501	331	2,198
2	239	290	292	300	386	366	1,873
3	226	210	198	239	246	210	1,329
4	1,029	251	230	238	279	250	2,277
5	1,142	1,319	364	287	325	307	3,744
6	115	999	986	270	211	218	2,799
7	3	136	857	902	247	193	2,338
8		3	116	797	841	190	1,947
9			1	105	710	541	1,357
10+				4	177	725	906

Figure 1. ESL Students' (Grade 3-Grade 8) *WMLS* Spring English Proficiency Levels by Years LEP, 1998-2000

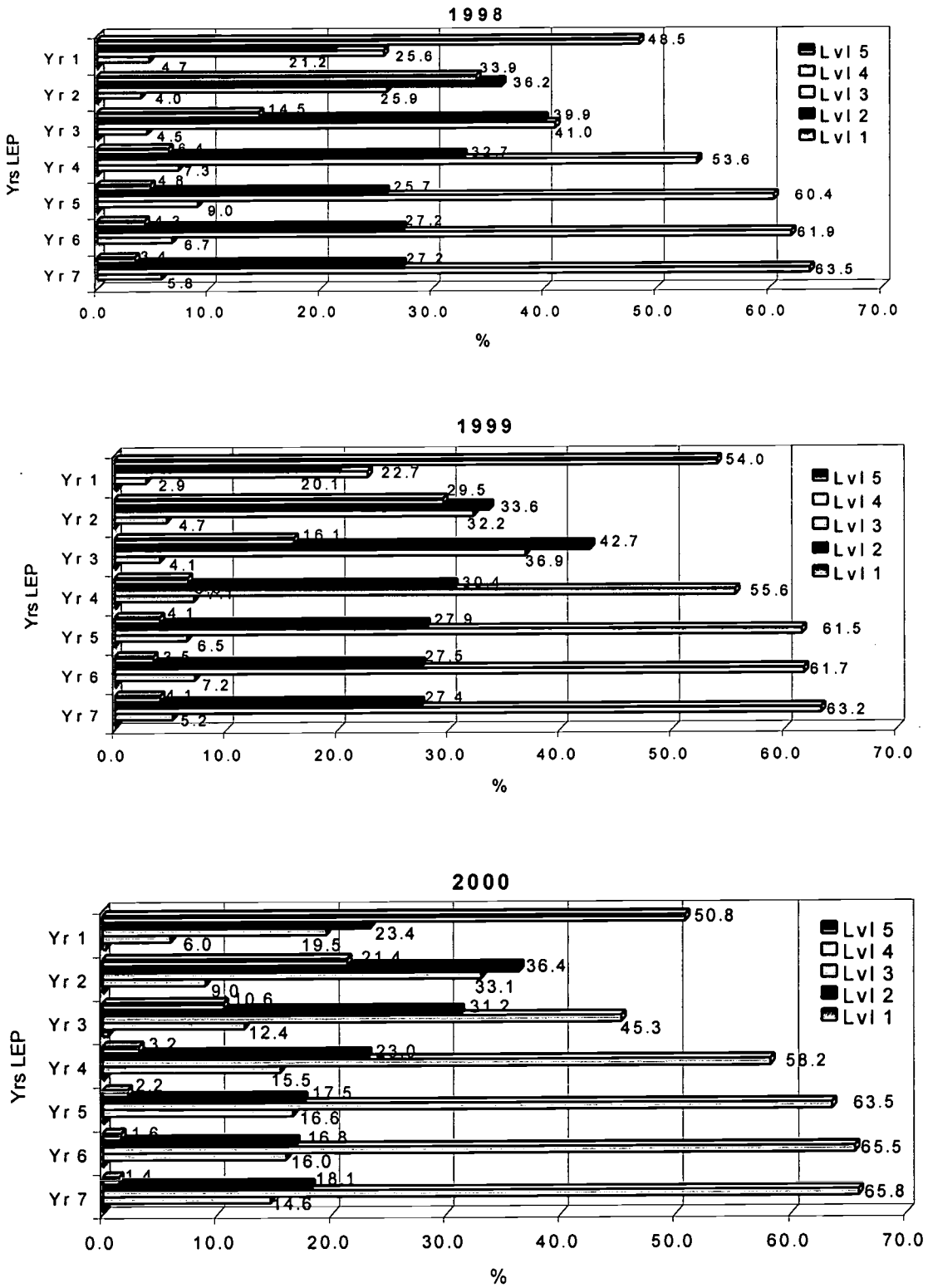
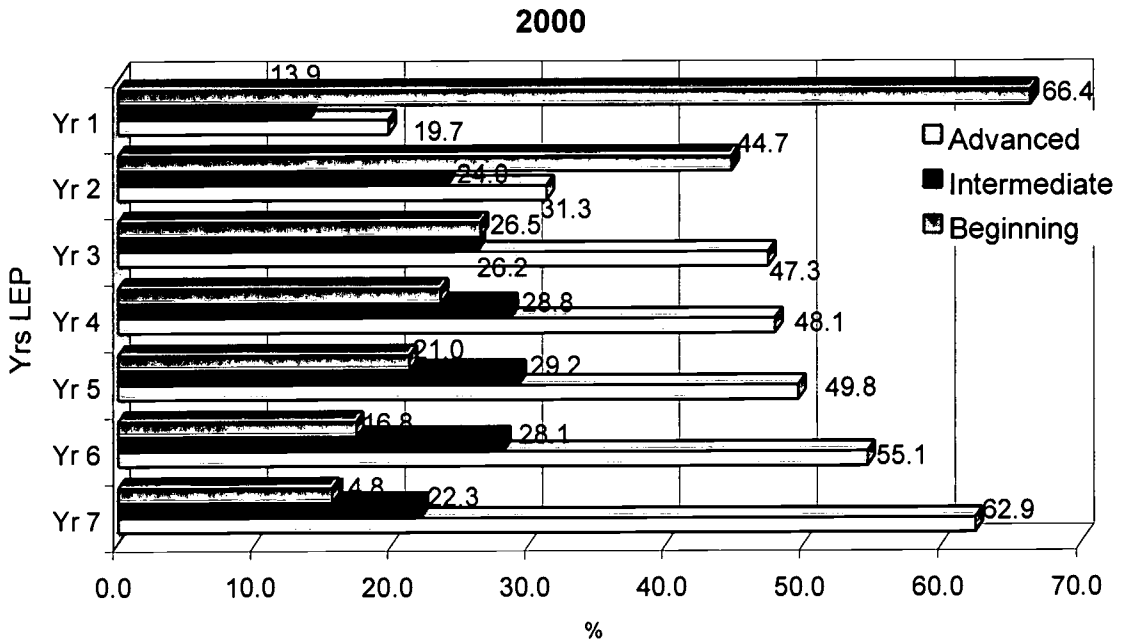


Figure 2. ESL Students' (Grade 3-Grade 8) *RPTE* Spring English Proficiency Levels by Years LEP, 2000



***WMLS* and *RPTE* Correlation Study.** Table 3 provides the *WMLS* levels by the RPTE levels of the same students. The table basically shows what the data patterns in Figures 1 and 2 already provided. Beginning *RPTE* levels correspond to *WMLS* levels 1 and 2, Intermediate *RPTE* levels correspond to *WMLS* levels 2 and 3, and Advanced *RPTE* levels correspond to *WMLS* levels 3 and 4.

While both *WMLS* and the *RPTE* appeared to produce similar patterns, a Pierson Correlation was conducted to validate that the tests correlated. It was found that the *WMLS* and the *RPTE* were highly correlated ($r=.7$, $r^2=.60$, .01 level of sig.).

Table 3

RPTE Level by *WMLS* Broad Ability Level, Spring 2000

	RPTE Levels					
	Beginning		Intermediate		Advanced	
WMLS Level	N	%	N	%	N	%
1	2,108	35.3	181	3.4	62	.5
2	2,524	42.3	1,687	31.5	1,215	10.0
3	1,279	21.4	3,135	58.5	7,909	65.3
4	53	.9	354	6.6	2,899	23.9
5					35	.3

Note: Includes only those tested with both the *RPTE* and *WMLS*.

To summarize the relationship between English proficiency and years in the program, the following points are made:

- The majority of ESL students, classified as LEP for 3 or less years, are still at *WMLS* levels 1 & 2, either negligible in English or very limited.
- The state's own reading proficiency test (*RPTE*) finds less than 50% of ESL students, classified as LEP for 3 or less years, to be at the Advanced level of English reading proficiency.
- That the *WMLS* and the RPTE are highly correlated.

Relationship Between Proficiency and *TAAS* Performance: District and State Supporting Data

The issue now is to determine whether proficiency levels can predict performance on the *TAAS*. Because of the District's history of *WMLS* data, the *TAAS* percent passing was crossed with the proficiency levels of the *WMLS* (Figure 3). An obvious pattern of increased *TAAS* passing rates was found with higher proficiency levels. This has been true for the past three years. It was found that *WMLS* level 1 & 2 ESL students have less than a 30 percent chance of passing the *TAAS*. (This is even after a new testing policy was established in Spring 2000 where all ESL students regardless of English proficiency level had to test after three years in the program.) Figure 4 presents *TAAS* passing rates by RPTE proficiency levels. Similar patterns were found.

To validate the similarities of the *WMLS* and the *RPTE* patterns of higher proficiency levels provide higher passing rates, an Analysis of Variance (ANOVA) was conducted. The statistical test verified that the proficiency levels of both *WMLS* and *RPTE* can predict the performance on the *TAAS*. The ANOVA results were as follows:

- Tests of between-subject effects found significant differences in TAAS percent passing based on *WMLS* proficiency levels. ($F[4;12,460]=484.24$, $p<.001$)
- Tests of between-subject effects found significant differences in TAAS percent passing based on *RPTE* reading levels. ($F[2;11,188]=2,192.4$, $p<.001$)

To summary the relationship between English proficiency and *TAAS* performance, there *is* a significant relationship between English proficiency and *TAAS* performance.

Figure 3. ESL Students' (Grade 3-Grade 8) Percent Passing *TAAS* by *WMLS* Level, 1998-2000

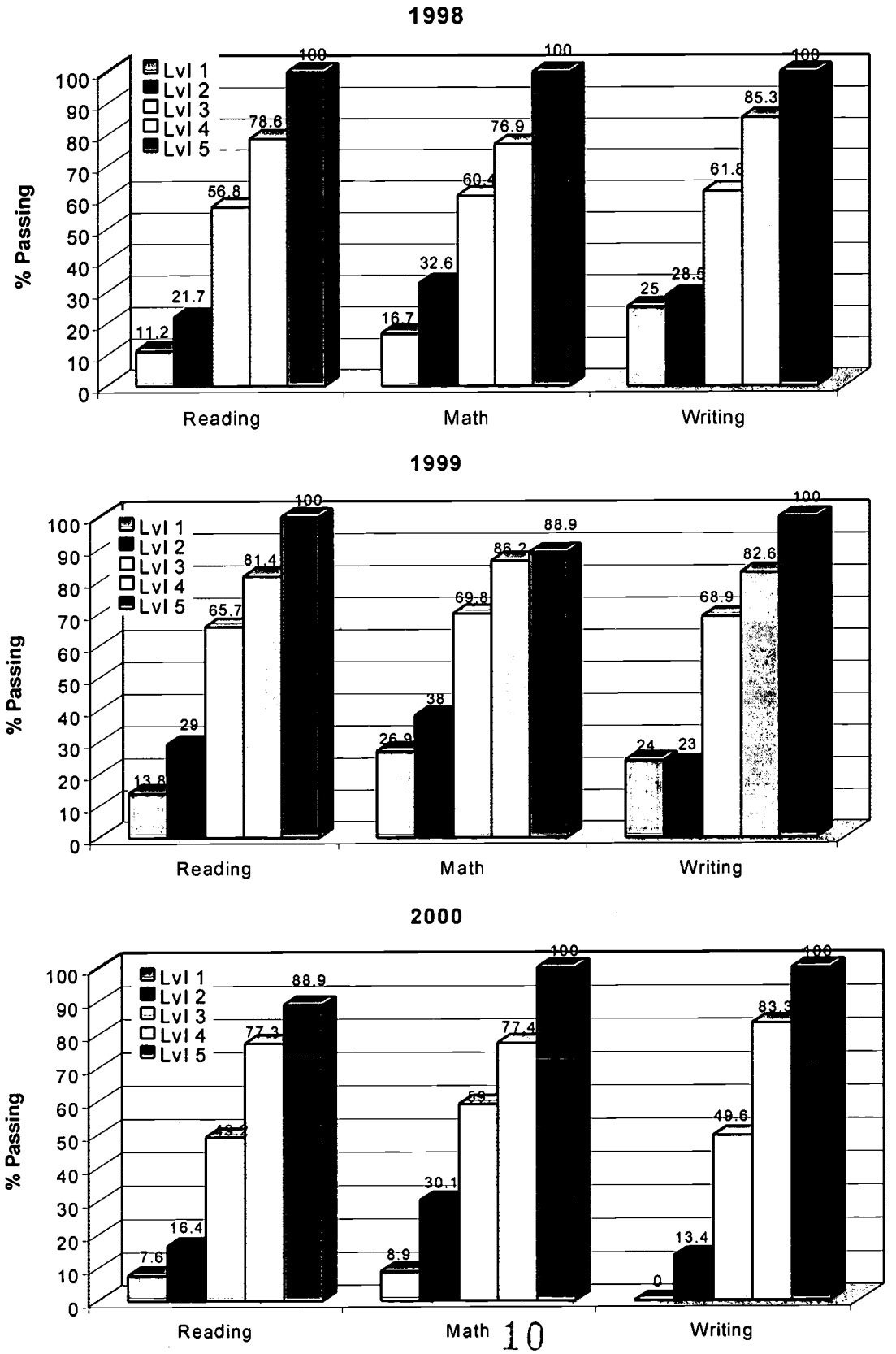


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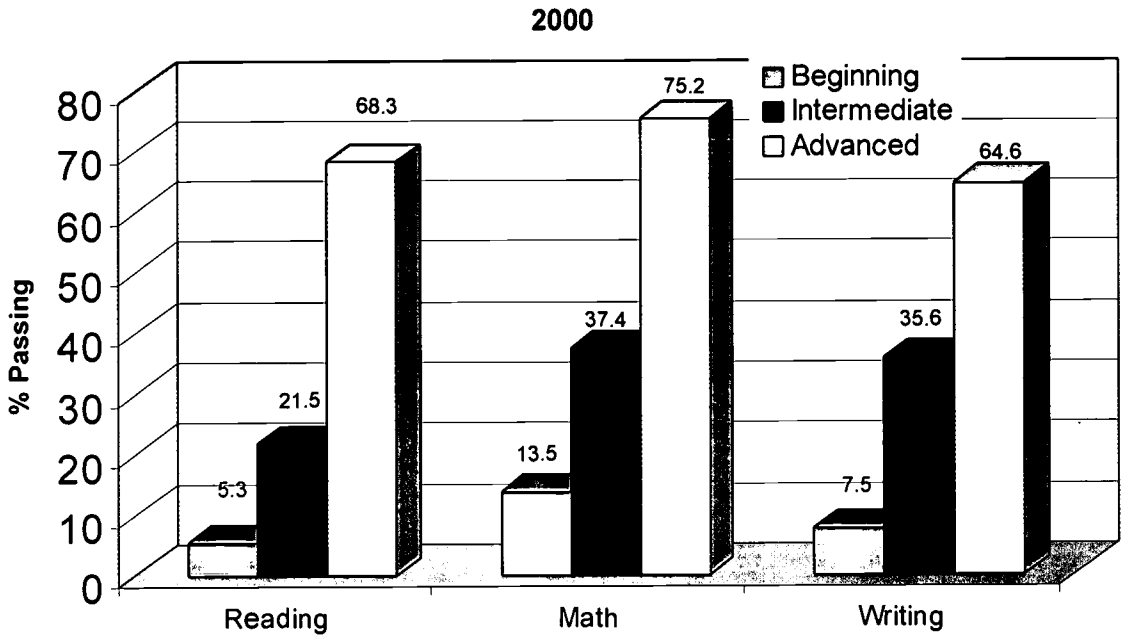
Figure 4. ESL Students' (Grade 3-Grade 8) Percent Passing *TAAS* by *RPTE Level*, Spring 2000



Discussion

The State appears to recognize the relationship of proficiency levels and performance on the *TAAS*. This is evident in the following descriptions provided on the *RPTE*.

> "The *RPTE* allows for the assessment of language proficiency levels that precede the level of proficiency needed to read and understand *TAAS* in English." (TEA, 2000)

> "Performance at the Advanced Level on the *RPTE* indicates that the effect of the acquisition of English as a second language on a student's ability to read and understand grade level texts in English is now minimal. **With another year of instruction, assessment with *TAAS* will be considered appropriate."** (TEA, 2000)

However, the State contradictions themselves by specifying that ESL students must be administered the *TAAS* after 12 months, regardless of their level of proficiency.

As a consequence to the above State requirement, and based on the established relationship between *WMLS/RPTE* and *TAAS* of ESL students, the District predicts they will have 50 schools ranked as low-performing in the State's Accountability Ratings.

Conclusion

The following are particulars that were established in this paper.

- Recent ESL immigrants, with 2 or less years of schooling in the U.S. are still at low levels of English Proficiency.
- State definitions and District data support the relationship between language proficiency and *TAAS* performance.
- It is unreliable and invalid to test ESL students with the English *TAAS* who have yet to demonstrate proficiency in English.
- School districts should be held accountable for teaching the state's curriculum, however the test that assesses this MUST measure content and not language proficiency.
- Districts should be held accountable, for LEP students for which the *TAAS* is not an appropriate test, by making sure proficiency levels are advanced over time.

The State law requiring ESL students to test in their first couple of years in the program when their language proficiency levels are low is not needed to assure accountability of whether LEP students are being taught. The current policy only provides invalid achievement measures for these students. If an accountability policy is needed, then it should be a policy that sets time lines for the progression of English proficiency levels. Hence, the quicker these students reach higher levels of proficiency, the sooner they can appropriately participate in state testing and reliably become apart of the accountability system.

The policy of only 1-year exemption for recent ESL immigrant students is inappropriate and should be changed.

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Appendix A

State Test Definitions and LEP Testing Policy

State Tests

TAAS *(Texas Assessment of Academic Skills)*

- Is a criterion-referenced test
- Measures the state curriculum in reading, mathematics (Grades 3-8, exit *TAAS* Grade 10), writing (Grades 4, 8 & 10), science, and social studies (Grades 8)
- Spanish-version *TAAS* tests available for grades 3-6
- Passing the English *TAAS* in high school is a prerequisite for graduation
- Major part of the state accountability system: schools are ranked into categories of low performing, recognized, and exemplary

Purpose of the Test:

Assess whether or not students are meeting the minimum expectations set forth in the state-mandated curriculum.

RPTE *(Reading Proficiency test in English)*

- Measures English Reading Proficiency
- Levels of proficiency: Beginning, Intermediate, Advanced

State LEP Testing Program, 2001

TAAS

- LEP students must take the ***TAAS*** if
  1) they are immigrant students who have been in US schools for more than 12 months,

  or

  2) they are nonimmigrant students.

- Elementary LEP students can take either the English or Spanish *TAAS* (LPAC decides which).

RPTE

- LEP students must take the ***RPTE*** if
  1) they have not previously taken the test,

  or

  2) they scored at the Beginning or Intermediate levels last spring.
- Students who scored at the **Advanced** level are not to be re-tested with the ***RPTE***.

Cecilia Oakeley & Theresa Urrabazo, Dallas Public Schools, Paper presented at AERA, April 2001, Seattle, Washington

Appendix B

History of State LEP Exemption Policy

History of State LEP Exemption Policy

Prior to 1999-2000

- Schools were permitted to grant LEP students an exemption from the *TAAS* for up to three years beginning at grade 3.

1999-2000

- State Board of Education changed the rule on exemptions to disallow LEP exemptions for nonimmigrant LEP students.
- Immigrant students were allowed three exemptions for the first three years enrolled in U.S. schools

2000-2001

- Only immigrant students with 12 months or less in U.S. schools qualify for a LEP exemption.

Appendix C

Local District Language Proficiency Test

Local District Language Proficiency Test

WMLS *(Woodcock Muñoz Language Survey)*

- Measures oral, reading, and writing
- Broad Ability Level is the overall measure of CALP
  - Level (Lvl) 1 = Negligible English
  - Level (Lvl) 2 = Very Limited English
  - Level (Lvl) 3 = Limited English
  - Level (Lvl) 4 = Fluent English
  - Level (Lvl) 5 = Advanced English

Cecilia Oakeley & Theresa Urrabazo, Dallas Public Schools, Paper presented at AERA, April 2001, Seattle, Washington

Testing Legislature Update
April 5, 2001

Senate Bill 676 was unanimously passed and is awaiting signature of the governor.

SB 676 allows unschooled immigrant LEP students an additional two more years of exemptions for a total of three exemptions. Bill will be effective for the spring 2001 TAAS testing. Districts are awaiting word from TEA before April 24 when testing begins.

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