

Native American Language Assessments in the Every Student Succeeds Act (ESSA) Frequently Asked Questions

1. What does ESSA say about the participation of English learners in state academic assessments?

English learners who have been enrolled in a school in the United States for less than 12 months can be exempted from one administration of a state's reading/language arts assessment.

For English learners participating in state academic assessments,¹ states must provide appropriate accommodations, including, to the extent practicable, assessments in the language and form that are most likely to assess English learners' knowledge and skills in academic content areas accurately and fairly until such students have achieved English language proficiency. This includes providing assessments in the native languages of English learners.²

According to section 1111(b)(2)(B)(ix) of ESSA, any student who has attended school in the United States for three or more consecutive years must take the reading/language arts assessment in English, unless the local educational agency (LEA) has determined, on a case-by-case basis, that an academic assessment in another language or form would provide more accurate and reliable information about what that student knows and can do. The LEA may determine to assess that student in the appropriate language other than English for no more than two additional consecutive years after the student has been enrolled for three years, on the condition that the student has not reached English language proficiency.

2. What does ESSA say about Native American language assessments?

According to section 200.6(j) of the Academic Assessment Final Regulations, states are permitted to administer assessments in a Native American language to students enrolled in a state-funded Native American language school or program in any subject in grades 3–8, regardless of whether the students are identified as English learners. These assessments can be administered in lieu of English-language-only assessments. However, states must administer an English-language-only reading/language arts assessment to Native American students at least once in grades 9–12.

3. In which content areas can states administer Native American language assessments?

States can administer annual Native American language assessments in any content area, including those for which ESSA requires statewide assessments (reading/language arts, mathematics, and science). Each Native American language assessment must be aligned with state content standards for that content area.

¹ ESSA requires states to administer annual academic assessments for mathematics and reading/language arts in grades 3–8 and at least once in grades 9–12, and for science at least once in each of grades 3–5, 6–9, and 10–12 (section 1111(b)(2)(B)(v)).

² Native American students can also be English learners, so the regulations for English learners would apply to Native American students who are identified as English learners.

4. What requirements must Native American language assessments meet?

As is required of any state academic assessments, a Native American language assessment must:

- ▶ Be aligned with state academic standards;
- ▶ Provide information about student attainment of state standards;
- ▶ Objectively measure academic achievement, knowledge, and skills;
- ▶ Be valid and reliable;
- ▶ Be of adequate technical quality;
- ▶ Be consistent with nationally recognized professional and technical testing standards; and:
 - In the case of reading/language arts and mathematics, be administered in grades 3–8 and at least once in grades 9–12;
 - In the case of science, be administered at least once in each of grades 3–5, 6–9, and 10–12; and
 - In the case of any subject area chosen by the state, be administered at the discretion of the state.

5. Are states required to include scores from Native American language assessments in their accountability systems?

Yes. For all assessments that are given to students in their native language for reading/language arts, mathematics, and science in lieu of established state English-language-only assessments (as part of a state’s assessment system), the results shall be included in the state’s accountability system. Refer to Question 2 for additional information.

6. Are states required to submit documentation of Native American language assessments for peer review?

As part of the U.S. Department of Education’s process for peer review of state assessment systems, states must submit documentation for, and receive approval of, the technical processes used to develop and administer their assessments, including Native American language assessments.

³ As noted in the response to question #1, states may exclude recently arrived English learners’ results on the reading/language arts and mathematics assessments from the state accountability system in the first year of enrollment.



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