

Chapter 2: Summary of Project Activities

During the course of this study, BETA conducted several activities to further its understanding of the issues involved and to incorporate the views of as many stakeholders as possible. Included in this chapter are descriptions of each of the following activities and summaries of BETA's findings.

◆ Review of Relevant Literature

◆ National Advisory Panel Meeting

Psychometricians

Experts in assessment

Experts in bilingual education

Legal experts

◆ Regional Focus Group Meetings

Administrators

Educators

Parents

Students

Citizens

◆ Statewide Survey

Administrators

Educators

Parents

Students

Citizens

◆ Presentation of Issues at Conferences of Professional Organizations

Administrators

Educators

Practitioners in bilingual education

◆ Interviews

Legislators

Stakeholders

State Board of Education members

Superintendents

School board members

◆ Benefit-Cost Analysis

Review of Relevant Literature

A review of the research and literature relevant to this study was done with the purpose of examining writing pertinent to test equity, test reliability and validity, language acquisition, and language of assessment. The literature review, which included a complete search of the Educational Resources Information Center (ERIC) database, focused mainly on recent studies documenting issues related to the appropriate academic assessment of LEP students. Of special interest were the topics of length of time necessary for acquiring a second language, assessment of academic content-area knowledge in a language other than that used for instruction, standards for assessment of LEP students, and ways in which other state assessment programs are dealing with the unique problems associated with the testing of LEP students. Additional information on this activity, including resources that cite studies that have been conducted over the past 20 years, can be found in Appendix A.

The following information summarizes BETA's findings from the search of available studies.

Test Exemptions: Length of Time Allowed for Academic Language Acquisition

According to the research literature, there is no specific time frame in which most K–12 LEP students can be expected to learn a second language well enough to participate in academic testing. Studies on this topic have focused primarily on students in Grades K–5. Those studies found that the time frame for language acquisition by LEP students to reach a skill level comparable to their English-speaking peers ranges from four to eight years. The initial guidelines for fair inclusion of LEP students in the federal program, the National Assessment of Educational Progress (NAEP), specified that LEP students should have been receiving instruction in English for three years before being included in the NAEP

test. The NAEP is not an accountability instrument and no significant stakes are associated with performance on this instrument.

Other research indicates that speed of language acquisition is dependent on educational services, availability of instruction in the native language, trained teachers, and students' individual differences. There is no general rule with regard to the number of years of English instruction that applies equally to all learners. Further, some research shows that educated, older students more quickly transfer their academic content knowledge into English than do younger children.

The literature emphasizes that it is very important to distinguish between two issues often confused by policymakers, educators, and researchers. These two issues can be phrased as questions: A) After what period of instruction in English can typical LEP students be expected to show sufficient competence in English that assessment of their achievement in English would be an appropriate educational activity? B) After what period of instruction in English can typical LEP students be expected to attain a level of proficiency in English comparable to that of peers who are native speakers? Clearly, these are very different questions, whose answers are likely to suggest markedly different time frames. With regard to state assessment programs, the crucial question above is the first one.

Language of Instruction vs. Language of Assessment

Almost all studies emphasize the dilemma of assessment of the achievement and progress of LEP students, whether or not they are instructed in English. The reliability and validity of any test purporting to measure content knowledge is questionable because of the prerequisite that students understand the language of the test in order for their knowledge of content to be assessed. Therefore, an achievement test can, in fact, become a language proficiency test. Unfortunately, there is no statistical analysis that determines to what extent a student's language proficiency is confounding the achievement

measure. At the same time, development of tests in students' primary languages has not resolved this issue for at least two reasons. One reason is that test development in languages other than English has proceeded slowly, both in the commercial arena and in state assessment programs. Issues associated with cost and feasibility of test development have arisen. The second reason is that a test in one language does not necessarily measure the same skills as does a version in another language.

Congruence of language of instruction with language of assessment is perhaps the most direct way that the addition of a Spanish-version TAAS at Grades 7 and 8 is addressed in the research literature. Most Texas students in Grades 7 and 8 are instructed in English. The achievement of students whose primary language is not that of the test may be seriously mismeasured. As a result, those students' scores may be meaningless. At the very least, scores on such instruments will lack instructional validity. In addition, testing individuals in their dominant language alone is no panacea. Considerations of both language dominance and language proficiency are important because many bilingual individuals use their two languages in two distinct contexts. Usually the first language is used in the home and the second language is used at school. Academic vocabulary may not be a part of the bilingual person's knowledge of the first language. Assessment in the first language when instruction is delivered in the second language may result in inaccurate measurement of students' knowledge and skills.

Equitable Treatment and Fairness

The concept of fairness requires that all examinees must be given comparable opportunities to demonstrate their standing on the constructs being assessed. Another aspect of fairness is the opportunity to learn. If students have not had the opportunity to learn the material that is being tested, the test is unfair to the students.

What Other States Are Doing

A review of the state departments of education websites, as well as that of the Council of Chief State School Officers (CCSSO), indicates that some states are offering accommodations or recommending alternative, commercial tests for LEP students. In California, no exemptions are granted regardless of time in U.S. schools. All LEP students must take the assessment in English, in addition to an achievement test in their native language. In 1999 additional achievement tests were available only in Spanish. Florida offers a two-year exemption if the students' language proficiency assessment committee concurs. North Carolina permits exemption for up to two years from initial enrollment in the state school system, but only if students score below a certain level on a language proficiency test. Illinois requires assessment in English after three years of enrollment in an ESL or bilingual program. It also has developed an alternate state assessment for LEP students: the Illinois Measure of Annual Growth in English (IMAGE). IMAGE measures the progress of LEP students in attaining the English-language reading and writing skills needed to achieve the Illinois Learning Standards. Students who take the IMAGE are exempted from the Illinois Standards Achievement Test (ISAT). Missouri allows a one-year exemption. New York uses a commercial test to determine English proficiency; however, students may elect to take the assessments in their native language. In accord with the reauthorization of the federal Title I program in 1994, all states were required to submit plans for including all students in their accountability programs by the 2000–2001 school year. As states struggle to address these issues, it is likely that clearer direction, or at least some amount of consensus, will emerge. At this time, however, no single direction is evident.

National Advisory Panel Meeting

A national panel was convened in order to obtain expert judgments from people actively involved in the educational, legal, and psychometric aspects of assessing LEP students. Panel members were selected for their work in bilingual education, their states' efforts in the assessment of LEP students, or their involvement in professional organizations concerned with the education of LEP students. The members of the national advisory panel were:

- ◆ Dr. Albert Cortez
Intercultural Development Research Association (IDRA)
- ◆ Dr. Margo Gottlieb
Director of Assessment and Evaluation
Illinois Resource Center
- ◆ Dr. Michael D. Guerrero
Department of Curriculum and Instruction
University of Texas
- ◆ Ms. Carmen A. Perez Hogan
Office of Bilingual Education
New York State Education Department
- ◆ Dr. Susan Phillips
Legal and Psychometric Consultant
- ◆ Dr. Barbara Schwarte
Teachers of English to Speakers of Other Languages (TESOL)
Iowa State University
- ◆ Dr. Josefina V. Tinajero
National Association for Bilingual Education (NABE)
University of Texas at El Paso
- ◆ Dr. Jon Twing
NCS Pearson

The meeting of the national panel was held on April 6, 2000. Before the meeting, panelists were provided with background information on the Texas assessment program. At the meeting, panelists were asked to express their views on the

expansion of TAAS in Spanish to Grades 7 and 8 and to discuss ideas for additional modifications if needed. Panelists were also asked to review and comment on a draft of a survey that BETA later used to obtain statewide input from educators, parents, students, and other stakeholders.

Both pros and cons were expressed about the possible expansion of TAAS in Spanish to Grades 7 and 8.

The reservations about extending TAAS in Spanish to Grades 7 and 8 are summarized below.

- ◆ Adding Spanish-version tests to Grades 7 and 8 might keep Spanish-speaking students from receiving the intense instruction they need in English to succeed in their high school courses and pass the exit level tests in English.
- ◆ Litigation could result from a policy that treats students differently in terms of assessment when their instructional requirements are the same. It could be perceived as unfair treatment when non-Spanish speakers are required to test in English while Spanish speakers in the same class can test in either English or Spanish.
- ◆ Since bilingual education programs are rare at Grades 7 and 8, few students receive academic instruction in Spanish. Instead, most Spanish-speaking students are instructed in English in ESL programs. The number of students to be served by Spanish-version tests might be quite low and should be carefully studied. The use of Spanish tests to measure academic skills that were taught in English would run counter to academic preparation requirements and would provide unreliable information about student learning.

The benefits that might be gained from adding TAAS in Spanish to Grades 7 and 8 follow.

- ◆ The availability of Spanish versions might promote positive instructional changes in the long run. If TAAS in Spanish were an option in Grades 7 and 8, schools might implement more bilingual programs at these grades, which would be beneficial in two ways.

1. Extending bilingual education to higher grades would allow for more comprehensible academic instruction for students who enter the U.S. at those grades.
 2. There would be less pressure to transition bilingual students into English instructional programs by the end of the elementary grades, which would allow students to transition to English instruction more gradually when needed.
- ◆ Ensuring that students have sound academic preparation in their first language will better enable them to succeed academically when they transition into English instructional settings.

The panel members advised that potential changes to the assessment system for LEP students must take into account the possible implications for curriculum and classroom instruction, and that comprehensible instruction and assessment should be the primary goals. Panel members spoke about the need to better the instruction of LEP students by reducing bilingual teacher shortages, improving teacher training, and developing more appropriate instructional materials. Resolving these problems would allow more schools to implement better bilingual education programs, which would, in turn, increase the number of students for whom Spanish-language testing would be appropriate. In light of the growing number of LEP students, suggestions were made that Texas take a proactive stance. Further, several panelists recommended that the need for bilingual education be considered systemically in K–12 or even K–16, because the current system seems to assume entry of students into the system in kindergarten, rather than across all grade levels.

Aside from discussions specific to adding Spanish versions of TAAS to Grades 7 and 8, the panelists also expressed concern about the statutory change that limited future exemptions to one year. The view was expressed that designating a one-year time frame for acquiring sufficient English language and/or content knowledge to take academic tests in English is unsupported by empirical research or other studies.

With regard to the RPTE, panelists viewed it as an appropriate means of measuring a student's annual growth in acquiring the ability to read in English. They saw merit in using the test to inform the decision of when a student would be ready to take TAAS in English. However, a concern was expressed that measures in mathematics, science, writing, and social studies were not available at any grade level for LEP students for whom neither English nor Spanish versions of TAAS are appropriate. The suggestion was made that assessments in English similar to the RPTE be developed to chart LEP student progress in those content areas.

In discussing the draft survey, the panelists made suggestions regarding survey questions and the audience to whom the survey should be sent. Because the survey was to be made available to the general population, the panelists also suggested dividing survey results into subgroups based on demographic information. This would allow the survey to show whether the views of teachers, administrators, parents, and other citizens were similar or different.

Regional Focus Group Meetings

Between June and August 2000, BETA conducted focus group meetings in six areas of the state: Edinburg, El Paso, Fort Worth, Houston, Lubbock, and San Antonio. The objectives of these meetings were to inform interested individuals about the study, hear the viewpoints of local stakeholders in face-to-face meetings, and determine how to move forward on the project.

Regional and district TAAS and bilingual education coordinators helped BETA schedule the meetings and notified interested parents, students, citizens, and educators. At each meeting, BETA explained the purpose and components of the study and provided an overview of the current assessment system. BETA also spoke about the new assessment program and new student promotion requirements that would begin to affect students in the spring of 2003.

Following this presentation, BETA encouraged the attendees to share their views about the possible need to expand or modify the assessment system for Spanish-speaking LEP students at Grades 7 and 8 as well as for other students of limited English proficiency. At the end of the discussion, BETA distributed a questionnaire to give attendees the opportunity to provide written input. The questionnaires contained the following three questions, which were presented in English initially and later also translated into Spanish.

1. Is there a need to modify or expand the assessment system for Spanish-speaking LEP students in Grades 7 and 8? If yes, please explain.
2. Is there a need to modify or expand the assessment system for LEP students of other languages in Grades 7 and 8? If yes, please explain.
3. Is there a need to modify or expand the assessment system for LEP students in Grades 3 through 6? If yes, please explain.

A total of 134 individuals attended these focus group meetings. BETA received 49 completed questionnaires, which participants either submitted at the meetings or mailed in shortly thereafter.

The following generalizations can be made from the input that focus group members provided.

- ◆ There is a mixed reaction regarding the need to expand TAAS to include Spanish versions at Grades 7 and 8.
- ◆ There is a desire for the RPTE to be used in some way to show when students are ready for TAAS in English.
- ◆ There is a deep concern about the new law that narrows the possibility for exemption to one year.

Most of the concerns about the current assessment system for LEP students stemmed from the fact that the state was now allowing only a one-year exemption from TAAS. Educators did not view this to be sufficient time for LEP students new to this country to learn enough English to understand the TAAS tests, nor for students to acquire the essential knowledge and skills of the Texas curriculum if they came to this country with inadequate prior schooling. Many respondents proposed that a two- or three-year exemption period be permitted when necessary.

The individuals who supported adding Spanish versions at Grades 7 and 8 thought these tests might provide a viable alternative for at least some Spanish-speaking immigrants, given that the new exemption policy will require many of them to take TAAS in English before they have an adequate understanding of English. Support for this view came mainly from areas of the state that have a high influx of Spanish-speaking immigrants. It is noteworthy, however, that even in these areas of the state there were also respondents who expressed opposition to adding Spanish versions of TAAS at these grades.

One reservation about giving TAAS in Spanish at Grades 7 and 8 was that the tests would not be an appropriate alternative for the majority of

immigrants not yet ready for TAAS in English because most LEP students in Grades 7 and 8 are in ESL rather than bilingual programs. Respondents who held this view generally offered two reasons why seeking to eliminate exemptions by administering Spanish-version assessments to students in ESL programs was unfavorable:

1. The language of the test should match the language of instruction, which in ESL programs is English.
2. A considerable number of immigrants arrive in the U.S. with limited previous schooling and limited Spanish literacy.

Other educators and parents objected to introducing Spanish versions at Grades 7 and 8 because of a possible negative impact on students' eventual mastery of English. They worried that too much focus on Spanish would prevent LEP students from acquiring the English-language skills needed to succeed in high school courses, pass the exit level TAAS tests in English, and pursue their goals after high school graduation.

Another concern was expressed from the standpoint of equity for students whose first language is other than Spanish. In ESL programs, Spanish-speaking LEP students as well as LEP students with other primary languages are all taught in English, often in the same classes. Now that LEP students can only be exempted for one

year, it could be viewed as unfair to offer a Spanish alternative to Spanish-speaking students while non-Spanish-speaking LEP students would have to test in English.

A considerable number of respondents commented that the RPTE is an appropriate measure for all students regardless of their primary language and should be used until they are proficient enough to be assessed validly and reliably by TAAS. Rather than restricting exemptions to one year, the desire was expressed to use the RPTE as a means of demonstrating student readiness for English TAAS. The suggestion was also made to develop content area tests in mathematics, science, and social studies that are written in English but take into account a student's limited English proficiency.

Other comments made by respondents included concerns about too many testing requirements for LEP students and cautions about considering cultural differences as well as second language development in examining the appropriateness of assessment.

Appendix B contains more specifics on the input gathered from the focus group questionnaires. Additionally, three groups expressed interest in submitting position papers during the course of this project activity. Summaries of these papers are found in Appendix I.

Statewide Survey

A survey was developed to seek statewide input about the assessment of LEP students from interested educators, parents, students, and other community members for the purpose of reporting these opinions to policymakers. The survey was developed by BETA and reviewed by the national advisory panel and TEA staff members. After the survey was approved in August, it was distributed statewide to approximately 1,500 district TAAS coordinators, bilingual directors, and bilingual coordinators. They, in turn, were asked to make copies of the surveys and distribute them to all interested parties for return by September 13, 2000. BETA continued to accept surveys through October 6, 2000. The survey was developed in English; however, BETA made a Spanish version available when Spanish translations were requested. About 10 districts requested the survey in Spanish.

Approximately 5,500 surveys were returned to BETA. The results were tabulated by demographic variable for each region and the state as a whole. The specific breakdown of responses may be found in Appendix C.

Question number one of the survey read: “Is there a need to modify or expand the current assessment system for LEP students? If yes, please explain.” In response to this question, the total group responded,

YES 3,111

NO 2,248

A majority of those who answered yes to this question commented about the inadequacy of a one-year exemption and recommended use of the RPTE to determine readiness for TAAS in English. Few responses expressed support for expanding Spanish TAAS to higher grades.

Question number two of the survey read: “Do you have any comments you would like to make about the RPTE?” In response to this question, the total group responded,

YES 2,197

NO 3,082

The majority of comments were in support of using the RPTE as the instrument to demonstrate student readiness for taking TAAS in English.

Question number three of the survey read: “How long, on average, do you think a limited English proficient student takes to become proficient enough in English to demonstrate academic progress meaningfully on a standardized test like TAAS?” In response to this question, the total group replied,

1–2 Years 641

3–4 Years 2,824

5–6 Years 1,595

7–8 Years 514

9+ Years 182

The survey was designed to allow respondents to add written comments if they so desired. Statements summarizing this input are included below as well as a tally of the most frequently made comments.

- ◆ Many respondents believe that Spanish TAAS is not a viable alternative for students who have limited literacy in Spanish and/or who receive instruction in English.
- ◆ With regard to the new one-year exemption rule for LEP students, many respondents stated that one year is insufficient time for students to acquire the academic linguistic ability to take TAAS.
- ◆ Many respondents believe that readiness for TAAS depends on a student’s educational background and language background; therefore, these respondents recommended that the decisions about TAAS readiness be made on a student-by-student basis.

- ◆ Many respondents stated that students should not have to take both the TAAS in English and the RPTE in the same year. They believe that LEP students should take the RPTE to show progress in the ability to read English until such time as the student is prepared to take TAAS in English. They feel the RPTE should be used as one of the factors to determine readiness for TAAS in English.
- ◆ Many respondents are concerned about the number of tests that LEP students are required to take. They are not only required to take TAAS tests and the RPTE but also tests used for program placement and exit.

EXHIBIT 5

Tally of most frequently made comments from statewide surveys

Comment	Number of Responses
A one-year exemption rule is not appropriate	2,023
TAAS is inappropriate for LEP students if administered too soon	893
TAAS readiness depends on the individual	561
Use RPTE to determine readiness for TAAS	514
LEP students are over-tested	243
Expand Spanish TAAS to Grades 7 and 8	160
More English instruction is needed	148
Spanish TAAS is not a viable alternative for all Spanish speakers	118
Develop TAAS in other languages	103

It should be noted that the comments above were not the only concerns expressed on the surveys. Comments that were made by fewer than 100 people are not included.

Presentation of Issues at Conferences of Professional Organizations

BETA attended conferences held by professional organizations to present information on the study and obtain input. At the conferences conducted by the Texas State Reading Association, the National Association for Bilingual Education (NABE), and the Bilingual ESL Association of the Metroplex, a BETA representative attended sessions regarding the assessment of LEP students and informed conference attendees of the purpose of the study, the dates and locations of the regional focus group meetings, and ways they could provide written input. At each of these conferences, BETA provided background information pertinent to the study.

At the Secondary School Conference, organized by the TEA Department of Bilingual Education, and the Rio Grande Valley Texas Association for Bilingual Education (RGV TABE), BETA conducted conference sessions about the study. By the time these two conferences occurred, the questionnaires described on page 16 were finalized, and BETA distributed them to allow the attendees to provide written input.

Some people who responded to the questionnaire stated that Spanish TAAS at Grades 7 and 8 might benefit a small number of students across the state who enter this country with a strong academic background in Spanish. Most students in Grades 7 and 8 are enrolled in ESL classes, however, and are being instructed in English. Conference attendees felt that by and large the language of assessment should match the language of instruction. This being the case, they felt that TAAS in Spanish would be of limited usefulness. While some people felt that bilingual instruction could be provided in Grades 7 and 8, others wrote about their concerns regarding the lack of qualified teachers and materials for these students.

The written input received from the Secondary School Conference and the RGV TABE reflects one overriding opinion. Almost every person who submitted ideas regarding the assessment of LEP students stated that the new law regarding a one-year exemption from TAAS was unrealistic. Attendees at these conferences maintain that one year is not sufficient time for students to be ready for TAAS. Several respondents stated that it takes longer than five years for students to become fully proficient in their second language. Other respondents favored allowing students up to three years of exemption from TAAS when neither English nor Spanish versions of the tests are appropriate.

Frequent suggestions were made to use the RPTE to help determine whether a student is ready to take the TAAS in English because the RPTE shows progress in English language acquisition. Several comments received from attendees of the Secondary School Conference also reflect a desire to have other content-area tests in English that take into account LEP students' limited ability to understand English.

Interviews

BETA staff interviewed selected stakeholders to gather opinions on issues concerning the testing of LEP students in Texas. Specifically, the discussions focused on the issues of testing for English proficiency, exemptions from TAAS, and possible expansions of the system. Those interviewed were selected for their work in setting education policy and/or their background in dealing with concerns of the LEP population. Representatives from Richardson ISD were interviewed because of the district's unique situation: LEP students speaking 68 different languages are enrolled in its schools. Prior to the interviews, the individuals received a letter that presented background information on the purpose of this study and on the current system of testing LEP students.

The following individuals were interviewed for this study:

- ◆ Mary Helen Berlanga, State Board of Education Member
- ◆ Dr. Carolyn Bukhair, David Tiffin, and Anne Foster, Richardson ISD Superintendent, Assistant Superintendent, and President of the Board of Trustees
- ◆ Dr. Albert Cortez, Intercultural Development Research Association (IDRA)
- ◆ Domingo Garcia, State Representative
- ◆ Kent Grusendorf, State Representative
- ◆ Irma Hinojosa, President of the Texas Association for Bilingual Education (TABE)
- ◆ Al Kauffman, Mexican American Legal Defense and Educational Fund (MALDEF)
- ◆ René Lara, Co-chair of the Education Committee for the Texas League of United Latin American Citizens (LULAC)
- ◆ Darla Marburger, Senate Education Committee Staff
- ◆ Geraldine Miller, State Board of Education Member
- ◆ Monty Wynn, House Public Education Committee Staff

Below are the four questions asked during the interviews and a summary of responses given by the interviewees. Additional information can be found in Appendix D.

The Reading Proficiency Tests in English (RPTE) have now been introduced into the assessment program to measure growth in the learning of English. Please share your views on this new assessment and how it should be used in the future.

Respondents had mostly positive things to say about the RPTE. Several individuals said that it was long overdue and that it will be a valuable tool to districts in evaluating their programs. It was also mentioned that the RPTE will be helpful to teachers because they will be able to use it to guide instruction. Most of the individuals interviewed like the fact that the RPTE gives information about proficiency levels and feel that it will help districts make decisions about whether students are ready to take TAAS in English. Several respondents cautioned against the RPTE becoming the sole indicator of a student's readiness for TAAS in English. Input from classroom teachers, parents, and counselors was still thought to be a vital part of the decision-making process. There were mixed opinions offered about the role of the RPTE in the accountability system. Several respondents support the use of the RPTE for accountability purposes, whereas several respondents would like to see it used primarily as a diagnostic tool. Being that the RPTE is a new assessment, it was suggested that TEA should proceed with caution when making decisions about the test's role in the accountability system.

Determining when a limited English proficient student is ready to take TAAS in English or Spanish continues to be a major policy issue in Texas. What do you think the criteria for exemption or inclusion should be? Should the policy be the same for Spanish-speaking students and students with a primary language other than Spanish or English?

Respondents mentioned that this is a very difficult issue and that there are no easy answers regarding

what the criteria for exemption or inclusion should be. Many felt that the decision to exempt or include should be based primarily on the RPTE. Others felt that this decision is an individual issue for each student and should be based on a wide range of criteria, such as teacher assessment, parental input, and classroom performance. Several respondents suggested that there should not be a state policy that sets a specific time limit on this issue because students learn at different rates. One respondent thought that one year should be sufficient time for a student to be prepared to take TAAS. Another respondent thought that a two-year limit would be appropriate. Most respondents had very strong opinions about the need for some kind of limit on exemptions and thought that the three-year limit was most appropriate. It was mentioned several times that a one-time exemption is probably appropriate for Grade 3 students who entered a U.S. school in kindergarten or Grade 1, but that more time would be needed for students who entered U.S. schools in Grade 2 or later. Most respondents thought that the policy should be the same for Spanish-speaking students and students with a primary language other than Spanish.

Spanish versions of TAAS are available in Grades 3, 4, 5, and 6. Should Spanish versions be developed for Grades 7 and 8? Express the pros and cons of this expansion.

Most respondents said that Spanish versions of TAAS should not be developed for Grades 7 and 8. Some said that this would be a disservice to children who need to be preparing for the exit level TAAS, which is in English. It was suggested that this decision should be based on the number of students receiving primary-language instruction in Grades 7 and 8. Because bilingual programs are only mandated for Grades 3–6, most LEP students in Grades 7 and 8 are receiving instruction in English. It would not be reasonable to administer Spanish TAAS to a student receiving instruction in English. Many stated that there are not enough LEP students in Grades 7 and 8 for whom Spanish versions would be appropriate to justify the development of Spanish TAAS because by these grades the Spanish-dominant students should be mostly recent immigrants. An opinion

to the contrary was that if TAAS in English is administered at Grades 7 and 8, then TAAS in Spanish needs to be developed at those grades. Another respondent stated that Spanish versions of TAAS should be developed for students in Grades 7 and 8 because then the state would be better able to address the needs of these LEP students. However, several respondents felt that the goal should be to use all of the resources in place at the elementary grades to bring students to an adequate level of proficiency in English by the time they are in middle school. It was thought that Spanish TAAS in Grades 7 and 8 might discourage this.

What do you see as other important issues for limited English proficient students in the state assessment program?

Several issues were mentioned. One respondent viewed the debate over immersion instruction versus bilingual education as an important issue and stated that this decision should be made locally. Several people mentioned that school districts need more funding for their bilingual/ESL programs. Many respondents stated that currently the most critical issue for LEP students is the new statute regarding the one-year limitation on exemptions. Most felt that the statute is unfair to students and that districts should be able to exempt LEP students from TAAS for up to two–three years if necessary.

Benefit-Cost Analysis for Development of TAAS in Spanish at Grades 7 and 8

A benefit-cost analysis is included in this study to help evaluate the need, feasibility, and cost-effectiveness of adding Spanish versions of TAAS at Grades 7 and 8 to the existing assessment system. Costs have been quantified in monetary terms. Benefits, which are mostly conceptual in nature, have been analyzed in terms that are more qualitative than quantitative.

Benefit Analysis

The following questions have been addressed in weighing the benefits of adding Spanish versions of TAAS at Grades 7 and 8.

- ◆ How would implementation of the tests affect instruction?
- ◆ How suitable would the tests be for the intended purposes?
- ◆ How many additional LEP students would be able to test?

Impact on Instruction

Two differing views were expressed during this study with regard to how the addition of TAAS tests in Spanish might affect the instruction of LEP students in Grades 7 and 8. Each view drew support from a number of members of the bilingual education community.

The first view holds that adding Spanish versions would promote instructional changes that would further the academic achievement of Spanish-speaking LEP students, presuming that more bilingual education programs would be implemented in the middle school grades. Extending bilingual education to these grades would make academic instruction more comprehensible to Spanish-speaking students who

enter U.S. schools in the late elementary or middle school grades. Additionally, students in bilingual programs at the lower grades might be able to transition more gradually into English instructional settings if needed.

The second view suggests there could be an unintended adverse impact on instruction. An increased focus on academic instruction in Spanish at Grades 7 and 8 could keep students from receiving the intensive English language instruction needed to prepare them to succeed in high school courses and pass the exit level tests that are required for a high school diploma and offered only in English.

Given these two conflicting views, and the uncertainty of whether additional bilingual programs would follow as suggested in the first view, the expansion does not yield definite benefits in this area.

Suitability of the Tests for the Intended Uses

The TAAS tests are used in the Texas assessment and accountability systems for two purposes:

- ◆ to measure whether students have mastered the skills of the required curriculum
- ◆ to indicate the effectiveness of the instruction schools provide

The first use of TAAS is to indicate to students, parents, and educators whether students have succeeded in learning what Texas schools require. Students who fail TAAS are required to receive intensive instruction in the areas of weakness indicated by the test results. Students who do not pass the exit level tests are not eligible to receive a high school diploma. Beginning in the 2002–2003 school year, students in Grade 3, and later in Grades 5 and 8, will be required to pass certain subject area tests in order to be promoted to the next grade. Because the uses of TAAS include determining the need for remediation in specific skills and making decisions about retention and promotion, both the English and Spanish versions must be used in a way that shows accurately which skills students have mastered and which ones they have not. If TAAS is administered in Spanish at Grades 7 and 8, it will measure

specific mathematics and social studies content as well as the ability to read at grade level in Spanish, use appropriate Spanish grammar, and understand academic terminology in Spanish that is needed to perform skills in mathematics and social studies. Using Spanish versions with students who have not received instruction in Spanish would cause concern in areas such as equity, opportunity to learn, and test validity.

The second use of TAAS is to hold schools accountable for providing students with a quality education. TAAS scores are one of three base indicators that determine whether a district is rated as exemplary, recognized, academically acceptable, or academically unacceptable. The use of Spanish TAAS to narrow TAAS exemption periods for immigrant LEP students has raised two primary concerns regarding fairness in the accountability rating system. The first instance revolves around administering TAAS in Spanish to immigrants who have had inadequate schooling in their country of origin. Spanish may be their dominant language, but they may have had little schooling before coming to the U.S. The second instance is when an immigrant who has not had time to become proficient in English is given a TAAS test in Spanish even though English was the language of the required curriculum.

Given the uses of TAAS for student and school accountability, TAAS tests in Spanish are suitable when used to measure students who have received their academic instruction in Spanish.

Projected Increase in LEP Student Participation

When considering how many more LEP students might be assessed if TAAS in Spanish is added at Grades 7 and 8, it is useful to examine how LEP students are assessed in the current system. Appendices G and H show current TAAS participation rates for LEP students, and breakdowns are provided to distinguish between participation of LEP students whose primary language is Spanish and LEP students whose primary language is other than Spanish. This information is also disaggregated to show whether the students are served in bilingual or ESL programs.

For a number of reasons, it is not possible to use current assessment data to project with certainty the number of students who might take TAAS tests in Spanish at Grades 7 and 8. First, the new one-year exemption policy will affect assessment decisions differently. Second, some students currently administered TAAS tests in English may be given tests in Spanish if a Spanish option is available. Third, over time there may be an increase in bilingual programs at these levels, which would increase the number of students tested in Spanish.

One way to estimate this number would be to base the participation rates for Spanish TAAS in Grades 7 and 8 on those of Grade 6. In the spring 2000 Grade 6 Spanish TAAS administration, 1,273 out of the 33,717 LEP students took TAAS in Spanish. As shown below, at this participation rate, which is 3.8%, the number of 7th and 8th graders that might be added to the system would be approximately 1,000 per grade.

EXHIBIT 6

SPRING 2000 TAAS PARTICIPATION OF LEP STUDENTS IN GRADES 6, 7, AND 8			
ALL LEP STUDENTS	TOTAL ANSWER DOCUMENTS	TOTAL TESTED IN SPANISH	PARTICIPATION RATE
Grade 6	33,717	1,273	3.8%
Grade 7	28,234	N/A	N/A
Grade 8	25,151	N/A	N/A

PROJECTED PARTICIPATION OF STUDENTS IN GRADES 7 AND 8 BASED ON SPRING 2000 GRADE 6 PARTICIPATION RATE OF 3.8%			
ALL LEP STUDENTS	TOTAL ANSWER DOCUMENTS	TOTAL TESTED IN SPANISH	PARTICIPATION RATE
Grade 7	28,234	1,073	3.8%
Grade 8	25,151	956	3.8%

A second way to estimate this number would be to assume that schools would administer TAAS in Spanish only to students in bilingual programs who receive instruction in Spanish. The table below displays how Spanish-speaking students in bilingual programs in Grades 7 and 8 were included in the spring 2000 TAAS administration.

EXHIBIT 7
Spring 2000 TAAS participation of Spanish-speaking students in bilingual programs in Grades 7 and 8

TAAS Participation Category	Grade 7	Grade 8
Tested with TAAS in English	239	117
LEP-Exempt	127	72
ARD-Exempt	74	21
Absent	4	2
Others Not Tested	1	23
Total Students	445	235

Of the 445 students in Grade 7 and 235 students in Grade 8 who were identified as enrolled in bilingual programs, 127 students in Grade 7 and 72 students in Grade 8 received a LEP exemption in the spring 2000 administration. If all of the exempted Spanish-speaking LEP students in bilingual programs were given TAAS in Spanish, the Spanish versions could be estimated to add 100–200 students per grade to the assessment system. This is probably a low estimate because districts would likely give TAAS in Spanish to some new immigrants in ESL programs whose recent instruction in Spanish would make assessment in Spanish viable.

In either method used, the number of LEP students that would be added to the TAAS program at Grades 7 and 8 does not exceed approximately 1,000 students per grade.

Cost Analysis

The projected cost of adding Spanish versions of TAAS at Grades 7 and 8 uses the subject areas that will be tested under TAAS II. Projections are based on current test development costs and

number of students tested, both of which may increase by the time TAAS II is implemented. For private schools to purchase and administer TAAS tests voluntarily, the Texas Education Agency, as required by law, provides the current annual per test cost for each TAAS test. These data appear in Appendix F and are the basis for this cost analysis.

The variations in per test cost across grade levels, for both TAAS in English and TAAS in Spanish, are largely a function of variable costs associated with the number of subjects tested and the number of students tested. The figures cover costs for developing tests and ancillary administration materials; printing, packaging, and shipping test materials; scoring tests; and reporting results.

Currently the per grade costs of the TAAS tests are the same for Grades 5 through 7, where the subjects tested are the same and the number of students is quite similar. The costs for the Grades 5 and 6 Spanish TAAS tests, which both include the subject areas of reading and mathematics, are the same. The total per grade costs remain constant across these two grades even though the number of students, based on the total answer documents submitted, varies from 6,714 at Grade 5 to 1,533 at Grade 6 (see Appendix F). This analysis assumes, therefore, that the per grade cost would be the same for any number of students up to 6,714 who take a reading and mathematics test.

The costs for Spanish versions at Grades 7 and 8 are based on the assumptions above and the understanding that the Grade 7 assessment would include tests in reading, mathematics, and writing, and the Grade 8 assessment would include tests in reading, mathematics, and social studies. The costs of developing social studies, mathematics, and reading tests are similar. However, the costs of developing and administering a writing test are more than three times the costs of the other subject areas because the writing test requires students to write a composition that must be handscored.

The estimated annual cost for the development and administration of TAAS in Spanish at Grade 7 is \$600,000 and at Grade 8 is \$325,000. Using the figure 1,000, which is an approximate number

of students to be added to the assessment system per grade based on earlier calculations, the estimated cost for Grade 7 is \$600 per student and the estimated cost for Grade 8 is \$325 per student. These estimated costs do not include staff resources (full-time employees or contracted professionals) that would be necessary for an expansion of the assessment program.

Summary of Benefit-Cost Analysis

The costs of Spanish-version tests for Grades 7 and 8 are high but not prohibitive if they yield definite benefits to students. However, this analysis shows few benefits at this time. Moreover, expansion of the assessment system for only one language group risks the unequal treatment of students from other language groups who are in the same classrooms and instructional programs but are not offered native language tests as an alternative. In addition, there are technical problems associated with the development of the Spanish-version writing test at Grade 7. Because

of the small number of students projected to take it, students from other grades or other states would have to be included in the field testing in order to have a large enough sample of student responses to judge the quality of proposed test questions.

The current system as it has evolved with the recent implementation of the RPTE provides the benefits addressed in this analysis. The RPTE assesses the extent to which LEP students are acquiring the ability to read and understand academic English. It measures the essential knowledge and skills from the TEKS that LEP students in both bilingual and ESL programs are required to learn, and includes all LEP students in the assessment system with a test that will measure them appropriately until they take TAAS in English. This test will help districts ensure that LEP students are making the steady annual progress in reading that is prerequisite to their success in English academic settings.