

Assessing Students with Disabilities

In accordance with the ED guidance issued in July 2014, the ED requires that all English learners with disabilities participate in the state ELP assessment. Federal law requires that all English learners with disabilities participate in the state ELP assessment in the following ways, as determined by the IEP team:

- In the regular state ELP assessment without accommodations
- In the regular state ELP assessment with accommodations determined by the IEP team
- In an alternate assessment aligned with the state ELP standards, if the IEP team determines that the student cannot participate in the regular ELP assessment with or without accommodations

Federal Guidance for Learners with Disabilities

In July 2014, the ED issued new guidance in the form of frequently asked questions (FAQs) regarding English learners with disabilities. The FAQs address:

- General obligations (e.g., all English learners must be assessed)
- Role of the IEP team
- Accommodations and alternate assessments
- Exit from English learner status
- AMAOs

The ED guidance can be found at

<http://www2.ed.gov/policy/speced/guid/idea/memosdcitrs/q-and-a-on-elp-swd.pdf>.

Role of the IEP Team

The IEP team is an essential component in establishing the appropriate academic and functional goals, determining the specifically designed instructional program to meet the unique needs of all English learners with disabilities, and making decisions about how students can participate in the state ELP assessment.

In accordance with the new ED guidance, the IEP team is responsible for:

- Making decisions about the content of a student’s IEP, including whether a student must take a regular state assessment (in this case, the ELP assessment), with or without appropriate accommodations, or an alternate assessment in lieu of the regular ELP assessment (ED, July 2014, FAQ #4).
- Developing an IEP for each student with a disability, including each English learner with a disability, at an IEP team meeting, which includes school officials and the child’s parents/guardians. The Individuals with Disabilities Education Act (IDEA) regulation in 34 *Code of Federal Regulations (CFR)* Section 300.321(a) specifies the participants to be included on each child’s IEP team. It is essential that IEP teams for English learners with disabilities include persons with expertise in second language acquisition and other professionals, such as speech-language pathologists, who understand how to differentiate between limited English proficiency and a disability (ED July 2014, FAQ #5).
- Ensuring that limited English proficient parents/guardians understand and are able to meaningfully participate in IEP team meetings at which the child’s participation in the annual state ELP assessment is discussed. If a parent whose native language is other than English is participating in IEP meetings, the IDEA regulations require each public agency to take whatever action necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter (34 *CFR* section 300.322[e]). When parents themselves are LEP, Title VI of the Civil Rights Act of 1964 also requires that the LEA effectively communicate with parents in a manner and form they can understand, such as by providing free interpretation and/or translation services (ED July, 2014, FAQ #6).
- Ensuring that all English learners, including those with disabilities, participate in the annual state ELP assessment, with or without accommodations, or take an appropriate alternate assessment, if necessary (section 1119[b][7] of the ESEA and section 612[a][16][A] of the IDEA). An IEP Team cannot determine that a particular English learner with a disability should not participate in the annual state ELP assessment (ED July, 2014, FAQ #7).

According to *California Code of Regulations*, Title 5 (5 *CCR*) sections 11511 and 11516 through 11516.7 (Division 1, Chapter 11, Subchapter 7.5) as well as *EC* Section 313, the initial and annual administration of the CELDT are the responsibilities of the LEA. Most students with disabilities are able to participate effectively on the CELDT. For those students whose

disabilities preclude them from participating in one or more domains of the CELDT, their IEP teams may recommend accommodations or an alternate assessment. (See *EC* Section 56385, 5 *CCR* 11516.5 through 11516.7, and the “Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments” [November 2015] at <http://www.cde.ca.gov/ta/tg/ai/caasppmatrix2.asp>.)

Modifications are alternate means of assessing the ELP of students with disabilities. Because such alternate means of assessments fundamentally alter what the CELDT measures, students receive the lowest obtainable scale score (LOSS) on each domain affected. Caution should be used when interpreting results because the LOSS on one or more domains may lower the Overall performance level on the CELDT. The LOSS on the CELDT will be used to calculate the AMAOs for Title III accountability purposes. If the student is not reclassified, the LOSS will be entered as the Most Recent Previous Scale Score(s) at the next year’s administration of the CELDT.

In accordance with Title 34, *Code of Federal Regulations* (34 *CFR*) 300.304 through 300.305, initial identification for determining whether a student is a student with a disability takes into consideration existing data, which include LEA and statewide assessments. For those who participate in programs for students with disabilities, the LEA may be a school district, an independent charter school, the county office of education, or a state special school.

When a student is not able to take the CELDT (the entire test or any portion of it), that information is shared at the IEP team meeting. IEP team members may determine that alternate assessments are appropriate and necessary. Per the ED, the alternate assessment must be aligned with the ELD Standards. The results of alternate assessments and/or the CELDT are part of current levels of performance in the IEP. The scores or performance levels are a part of the information considered by the team to develop linguistically appropriate goals (*EC* sections 56341.1[b] and 56345[b][2]).

Because of the unique nature of individual students’ disabilities, the CDE does not make specific recommendations as to which alternate assessment instruments to use. However, the appropriate alternate assessment must be identified annually in a student’s IEP. The LEA must ensure that the IEP team includes an individual who can interpret the instructional implications of evaluation results (e.g., an ELD specialist to interpret CELDT results) (34 *CFR* Section 300.321[a][5]). Identified English learners with disabilities must take the CELDT with any accommodations specified in their IEPs or take appropriate alternate assessments as documented in their IEP every year until they are reclassified.

The sample worksheets provided in the past to assist LEAs and schools in planning for the administration of the CELDT to students with an IEP or Section 504 plan have been condensed into a user-friendly checklist, which is found on pages 15 and 16. Other documents that may assist LEAs in determining how to assess individual students are (1) guidelines for reviewing IEPs and Section 504 plans on page 17; and (2) the Participation Criteria Checklist for Alternate Assessments on page 18.

Selective Mutism

Although the CDE does not make specific recommendations about accommodations or alternate assessments, there have been an increased number of inquiries regarding students identified as selectively mute. Therefore, additional information is being provided for local consideration.

Selective mutism (SM) is an anxiety disorder that is classified under “mental disorders” in the *Fifth Edition of the Diagnostic and Statistical Manual of Mental Disorders*, (DSM-5). Because of its classification, SM meets the eligibility criteria for necessary accommodations through a Section 504 plan.

A student with SM consistently fails to speak in certain situations (e.g., school); however, the student speaks at other times (e.g., at home or with friends). SM may cause significant interference with educational or communicative functioning. Studies have demonstrated that immigrant and language minority students are at a higher risk of developing SM than native-born students. This diagnosis excludes students who may be uncomfortable with a new language and may select not to speak in specific environments. A nonverbal period of time is to be expected in students acquiring a new language and should, therefore, not be mistaken as SM.

Additional information regarding SM can be found at the following Web sites:

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3538870/> and
<http://www.asha.org/public/speech/disorders/selectivemutism/>.

Note: These key actions are not all-inclusive and may vary based on LEA/site needs.

Checklist of Key Actions for the Administration of the CELDT to Students with Disabilities	Person(s) Responsible	
	CELDT District Coordinator (CDC) and/or designee(s)	CELDT Site Coordinator (CSC) and/or designee(s)
Pre-CELDT Administration		
<input type="checkbox"/> 1. Review ordering specifications/timeline/process from the test contractor and order materials.	●	
<input type="checkbox"/> 2. Required: Register and attend a CELDT Scoring Training of Trainers (STOT) workshop at a state, regionally, or locally sponsored location.	●	
<input type="checkbox"/> 3. Review CELDT testing requirements.	●	●
<input type="checkbox"/> 4. Communicate with the special education coordinator and/or special education teachers, as applicable, to review CELDT (or possible alternate assessment) requirements for students with disabilities.	●	●
<input type="checkbox"/> 5. Prepare a list of all students receiving English learner services specified in current IEP or Section 504 plans and who must be tested with the use of identified variations, accommodations, modifications, and/or alternate assessments.		●
<input type="checkbox"/> 6. Review the IEP or Section 504 team’s decision on how each student with disabilities will participate in the CELDT (or possible alternate assessment) as determined by the IEP team.		●
<input type="checkbox"/> 7. Return completed list to the CDC.		●
<input type="checkbox"/> 8. Respond to site requests for test variations, accommodations, modifications, and/or alternate assessments, if applicable.	●	
<input type="checkbox"/> 9. Schedule and conduct CELDT administration training for CELDT site and special education coordinators. Information and materials should include, at a minimum: <ul style="list-style-type: none"> – IEP/Section 504 plan process to identify who will take the CELDT with test variations, accommodations, or modifications or take an alternate assessment(s) – Test variations, accommodations, modifications, and/or alternate assessments – Test administration – Procedure for monitoring test administration – Test security maintenance – Procedures for administering the CELDT – Process and materials to respond to requests for needed test variations, accommodations, modifications, and/or alternate assessments – Selection of appropriate test examiners (See page 4, under “Administering the CELDT.”) 	●	
<input type="checkbox"/> 10. Participate in test administration training provided by CDC.		●
<input type="checkbox"/> 11. Provision of accommodations is recorded in the Answer Book by the test administrator.		●

Checklist of Key Actions for the Administration of the CELDT to Students with Disabilities (cont.)	Person(s) Responsible	
	CELDT District Coordinator (CDC) and/or designee(s)	CELDT Site Coordinator (CSC) and/or designee(s)
CELDT Administration		
<input type="checkbox"/> 1. Provide direction/assistance to test examiners and proctors.		●
<input type="checkbox"/> 2. Ensure that identified variations/accommodations/modifications are used during testing.		●
<input type="checkbox"/> 3. Follow the identified process for administering and scoring alternate assessments, if applicable.		●
Post-CELDT Administration		
<input type="checkbox"/> 1. Follow up with IEP team or CDC to ensure that students' IEP/Section 504 plans are updated with current test variations, accommodations, and/or modifications for the CELDT or alternate assessments.		●
<input type="checkbox"/> 2. Package all completed tests with test variations, accommodations, and/or modifications as directed and return them to CDC.		●
<input type="checkbox"/> 3. Check packaging of site materials and schedule delivery to the test contractor for scoring.		●
<input type="checkbox"/> 4. Schedule a post-CELDT debriefing with the LEA and site IEP/Section 504 plan lead(s) and CSC, as needed, to discuss ways to improve the process.	●	●
<input type="checkbox"/> 5. Participate in debriefing with the CDC and/or special education lead(s), if requested.	●	●

Review of Individualized Education Programs or Section 504 Plans

Some students with disabilities may require test variations, accommodations, and/or modifications, or may take alternate assessments. Test variations are allowed for any student who regularly uses them in the classroom. Before testing, accommodations, and modifications and/or alternate assessments must be specified in each student's IEP or Section 504 plan. Before any test variation is used, the following activities should be considered when preparing or updating the IEP or Section 504 plan:

1. Review state and federal regulations.

These include the 5 CCR CELDT, IDEA of 2004, and Title III of the ESEA, which are available on the CDE Title III Web page at <http://www.cde.ca.gov/sp/el/t3/>.

2. Review “Matrix 2. Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments (2015).” This matrix is available on the CDE CELDT Resources Web page at <http://www.cde.ca.gov/ta/tg/ai/caasppmatrix2.asp>.

Discuss the use of variations, accommodations, and alternate assessments which may produce valid results if they do not alter what the test measures.

3. Review the IEP or Section 504 plan.

Specify in the student's IEP or Section 504 plan whether the ELP assessment is specifically addressed and verify that student information is current.

4. Determine how the student will participate in the ELP assessment.

- Using the Participation Criteria Checklist for Alternate Assessments on page 18, determine whether the student will require an alternate assessment(s) or can participate in the CELDT using test variations, accommodations, and/or modifications.
- Specify in the student's IEP or Section 504 plan exactly how and for what domain(s) CELDT test variations, accommodations, and/or modifications are to be implemented relative to the student's disability. If the student has an IEP, specify any alternate assessment(s) the student is to use and identify which domain(s) of the CELDT the alternate assessment(s) is replacing. Note how the student's disability precludes the student from taking any or all sections of the CELDT.
- Review each domain of the CELDT a student has taken with modification(s) or for which an alternate assessment has been administered. If one or more domains of the CELDT have been taken with modifications or if an alternate assessment(s) has been administered, the Overall score will not reflect the student's actual performance level in English, and the student will receive the LOSS on each affected domain, which may lower the Overall performance level.

Participation Criteria Checklist for Alternate Assessments

To assist an IEP team in determining whether a student should use alternate assessments, the criteria below may be considered. If the answer to one or more of the criteria is “Disagree,” the team should consider administering the CELDT to the student with the use of any necessary test variations, accommodations, and/or modifications.

Circle “Agree” or “Disagree” for each item:

Agree	Disagree	The student requires extensive instruction in multiple settings to acquire, maintain, and generalize skills necessary for application in school, work, home, and community environments.
Agree	Disagree	The student demonstrates academic/cognitive ability and adaptive behavior that require substantial adjustments to the general curriculum. The student may participate in many of the same activities as his/her nondisabled peers; however, the student’s learning objectives and expected outcomes focus on the functional applications of the general curriculum.
Agree	Disagree	The student cannot take the CELDT even with test variations, accommodations, and/or modifications.
Agree	Disagree	The decision to participate in an alternate assessment is not based on the amount of time during which the student is receiving special education services.
Agree	Disagree	The decision to participate in an alternate assessment is not based on excessive or extended absences.
Agree	Disagree	The decision to participate in an alternate assessment is not based on language, cultural, or economic differences.
Agree	Disagree	The decision to participate in an alternate assessment is not based primarily on visual, auditory, and/or motor disabilities.
Agree	Disagree	The decision to participate in an alternate assessment is not based primarily on a specific categorical program.
Agree	Disagree	The decision for using an alternate assessment is an IEP team decision rather than an administrative decision.