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Native Language Assessments for K-12 English Learners

Policy Considerations and State Practices

POLICY BRIEF

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Executive Summary

The U.S. education system relies heavily on standardized tests to track how well schools are educating students and to target resources to schools with the poorest results. Of particular concern for educators and policymakers is ensuring that traditionally underserved student populations, such as children of color and English Learners (ELs), have equitable access to a quality education. As such, they keep close tabs on whether schools are closing achievement gaps in these students' test scores relative to other student groups. But ELs' test scores may not fully reflect how much they have learned if students cannot demonstrate their knowledge in English, a language they are not yet fluent in. For this reason, federal law has long allowed states to offer tests in students' home languages—known as native language assessments—to more accurately gauge what students know and can do in academic subjects.

Each state has a school accountability system that, under the federal *Every Student Succeeds Act* (ESSA), identifies low-performing schools based on a combination of student assessment outcomes and other factors, such as graduation and attendance rates. The fact that ESSA makes it mandatory to include ELs in annual standardized testing is forcing the education field to wrestle with how to improve the likelihood that ELs' test scores reflect their actual ability in the content areas.

As of Spring 2020, 31 states plus the District of Columbia offer native language assessments, most commonly in math or science but sometimes in reading/language arts and social studies as well. These are typically available in Spanish, which is the most prevalent home language among ELs in most states. However, Hawaii offers tests in Hawaiian, and three states (Michigan, New York, and Washington) offer tests in multiple non-English languages. Native language assessments vary in such characteristics as whether they are direct translations of English-language standardized tests or are adapted more freely, and whether students can see only the native language version or both that and the English version when taking the test. Additionally, some states limit which ELs can take these tests (for example, only students new to U.S. schools).

31 states plus the District of Columbia offer native language assessments, most commonly in math or science.

Although research on the efficacy of native language assessments is limited in scope, studies suggest they are effective for ELs with low English proficiency and/or who are receiving instruction in their native language. Further research and guidance from the federal government on when and how to use native language assessments would support state and lo-

cal policymakers and administrators, who currently have few tools to inform their decision-making. With high-stakes accountability likely to remain a fixture of the U.S. education system and increasing recognition of the value of multilingualism for students' future and the U.S. economy, it is more important than ever to ensure that education policymakers have the means to capture a full and accurate picture of EL academic achievement.

1 Introduction

For the past two decades, standardized academic achievement tests have played a central role in the U.S. education system. Student outcomes on these tests are the foundation of school accountability systems designed to ensure equitable access to a quality education for all students. Under the *Every Student Succeeds Act of 2015* (ESSA), the primary use of testing and other annually reported data is for states to direct resources to underperforming schools, but schools and districts sometimes also use these data for high-stakes decisions about teacher pay and whether students may move up to the next grade.[1] Federal law under both ESSA and its predecessor, the *No Child Left Behind Act of 2001* (NCLB), has required schools to assess all children—with almost no exceptions—in reading/language arts and math every year in grades 3 to 8 and once in high school, and three times over that time span in science. The stakes associated with standardized tests, coupled with the requirement that all students take them, place enormous pressure on states to create an assessment system that can provide valid and reliable information about the academic achievement of students with enormously diverse learning trajectories. For English Learners (ELs), a group that by definition has a level of English that makes it difficult to perform on par with other students, this presents a unique set of challenges.

The requirement under NCLB and ESSA to include all students in assessments is part of a longer history of the federal government seeking to ensure equitable access to instruction. For example, in 1974, the U.S. Supreme Court ruling in *Lau v. Nichols* established that simply placing ELs in mainstream classes taught in English without attending to their language needs denied those students a meaningful education.[2] Over the subsequent decades, the federal accountability system was built on the proposition that persistently low achievement among ELs, racial/ethnic minorities, students living in poverty, and students with disabilities is evidence that schools have failed to provide the instructional supports needed to help these students meet rigorous academic standards. State accountability systems track these trends and allow policymakers and the public to identify the schools that have the lowest outcomes.

Given these priorities, the education system has spent considerable resources addressing both sides of this problem: developing instructional programs that help students with diverse needs meet state standards, and creating assessments to fairly and accurately measure schools' efforts to help them learn. For ELs, on the instructional side, researchers and educators have worked to identify strategies for making grade-level instruction accessible, including bilingual education programs that allow students to learn academic content in a language they know while they build proficiency in English.[3] On the assessment side, testing experts have identified accommodations that allow ELs to demonstrate their understanding of concepts without being held back by their limited English. Native language assessments may be among the most promising of these supports. When done well, they can allow ELs to demonstrate their content knowledge and support the goals of bilingual education programs. However, they are also among the most resource-intensive accommodations and may not be beneficial for all ELs.

This brief provides an overview of how states could incorporate native language assessments into their accountability systems. Specifically, it focuses on the policy and practical considerations they face in determining whether to offer such tests, and on how some states currently use them. With both advantages and drawbacks—and little research on when and how to use native language assessments effectively—the policy terrain is highly complex. The brief ends with a discussion of steps that national, state, and local actors could take to provide additional guidance and tools for policymakers seeking to understand and implement native language assessments.

2 Why Use Native Language Assessments?

At the foundation of any assessment system is the assumption that tests give students a fair chance to show what they know and can do. Educators and policymakers want to be sure that test results reflect—to the greatest extent possible—students' mastery of reading/language arts, math, science, and social studies concepts and not their proficiency in English or other extraneous factors. At the same time, educators have advocated for ELs and other students in bilingual and dual language education programs to be tested in their languages of instruction, both in order to provide useful feedback to teachers and to send the message to students and families that bilingual learning is valuable.[4]

A. What Are Native Language Assessments?

While all native language assessments test students' understanding of academic content in a non-English language, they come in many different forms. Following Bowles and Stansfield's 2008 guide to developing such tests,[5] this brief defines native language assessment as including:

- written translations of English tests (presented only in the native language or bilingually in English and the native language),
- scripted oral translations of an entire test administered by a person or by audio recording, and
- assessments designed from scratch in a non-English language.

Although also used by bilingual and dual language programs to supplement mandatory assessments, the most visible use of native language assessments is as a test accommodation for ELs. Accommodations are used in large-scale testing programs in order to include students who would otherwise be unable to meaningfully demonstrate their knowledge and skills under standard conditions. The two groups of students most commonly given accommodations are ELs and students with disabilities. To be considered valid and effective, accommodations should improve the performance of participating students compared to students with similar needs who are not using the accommodations. However, they should not affect the scores of other students (for example, a test printed in both braille and English would improve the scores of students who are blind and have no effect on those who are sighted). Accommodations may be useful in some grades or academic subjects and not others, and for some individual students and not others.[6]

Native language assessments are just one type of accommodation for ELs, as shown in Table 1. There is no clear line between these assessments and other native language accommodations, and—as will be discussed in Section 4—states define accommodations in different ways. Within this broader context, however, recent advocacy has focused on the types

TABLE 1
Test Accommodations for ELs

Type		Purpose	Examples
Direct linguistic support	Native language accommodations	Modify the language of the assessment	Native language assessments, bilingual glossary or dictionary, interpreter translates directions/test questions or provides clarification in the native language
	English language accommodations	Modify the language of the assessment	Directions and/or test questions are written in simplified English, key phrases are highlighted, proctor repeats or clarifies the meaning of directions or key phrases
Indirect linguistic support accommodations		Modify testing conditions	Additional testing time or rest breaks; adjustments to the classroom setting (e.g., away from distractions); testing in small groups, with additional staff support, or in a location where the student feels most comfortable

Source: Charlene Rivera and Eric Collum, "An Analysis of State Assessment Policies Addressing the Accommodation of English Language Learners" (issue paper, National Assessment Governing Board, Washington, DC, 2004).

of native language assessments described by Bowles and Stansfield,[7] so this brief primarily concerns this narrow category.

B. Federal Education Policy

The use of native language assessments and other accommodations with state standardized tests has largely been driven by federal policy. The *Improving America's Schools Act of 1994,* the predecessor to NCLB, lay the groundwork for the current approach to school accountability. This law introduced the idea that states should use assessments to measure the progress of schools and districts toward ensuring that all students—including groups that have traditionally been underserved—meet rigorous state-defined academic standards.[8] At that time, it was common practice to exempt ELs from assessment until they developed sufficient English language proficiency to meaningfully participate. In doing so, schools were effectively not held accountable for making sure ELs had equal access to the curriculum, as required by law.[9] In order to facilitate the inclusion of ELs in standardized testing, the 1994 law suggested that states administer assessments in the language and form most likely to yield valid data.[10]

When NCLB was passed in 2001, the provision allowing native language assessments was included again. However, NCLB's provisions requiring mandatory testing for all students, tracking of the EL subgroup for accountability purposes, and penalties for schools whose students did not meet performance benchmarks dramatically changed the context in which state testing and accountability systems operated. These new requirements brought more attention to the EL subgroup. By school year 2006–07, 12 states offered native language assessments in Spanish, with four states offering tests in one to four additional languages.[11]

ESSA retained much of the language from the 1994 and 2001 laws. The language in effect today reads:

> *"[State academic achievement assessments shall] provide for… the inclusion of English Learners, who shall be assessed in a valid and reliable manner and provided appropriate*

> *accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency."*[12]

ESSA stipulates that reading/language arts assessments must be given in English to students who have attended U.S. schools for more than two years, although a school district may allow students to continue taking language arts assessments in their native language instead for an additional two years as long as they are still ELs. The law further indicates that states must make every effort to develop native language assessments for languages that are present "to a significant extent" in the statewide student population.[13] The fact that states had to provide information about native language assessments on their ESSA plans (including which languages students speak and which languages the state already offers tests in) brought renewed national attention to the question of when to use native language assessments for ELs.

C. *Who Benefits from Native Language Assessments?*

With a wide variety of accommodations to choose from, school systems want to ensure that they are selecting the best option for each student. Research on various accommodations for ELs (listed in Table 1) shows mixed evidence on their effectiveness.[14] That is to say, some accommodations were seen to help ELs in some studies but to be ineffective or even detrimental in other studies.

These studies usually consider the effectiveness of accommodations with ELs overall, but a more fine-grained analysis of their use with certain EL subgroups is somewhat more promising. One study suggested that assigning accommodations to ELs based on specific linguistic and educational characteristics (such as literacy levels in the native language and English) was more effective than assigning accommodations at random, which in the study simulated the common practice of simply allowing all ELs to access any EL accommodation available. In fact, the study's results showed that the accommodations that were well matched to ELs' circumstances were effective, but that this was masked in the overall sample because there was no evidence of effectiveness for poorly matched accommodations.[15]

The value of taking a different approach to accommodations based on student characteristics is further illustrated by a 2011 meta-analysis that examined 14 empirical studies of accommodations for ELs, taking into consideration factors such as participants' level of English and native language proficiency and the language in which they received instruction.[16] Five studies looked at Spanish or bilingual versions of assessments given to students in grades 7 or 8 in reading or math.[17] This analysis showed that Spanish-language versions of assessments were effective for improving the results of ELs receiving instruction in Spanish and/or who had low English proficiency, but they were not effective for ELs who received instruction in English or had intermediate English proficiency. For tests printed in both English and Spanish, the authors found higher effect sizes when students were given more time to complete the test.[18]

Spanish-language versions of assessments were effective for improving the results of ELs receiving instruction in Spanish and/or who had low English proficiency.

Whether there is empirical evidence for the effectiveness of native language assessments is an important consideration when deciding which ELs should be given these tests, but not the only one. Many educators also point to a strengths-based argument, which is that it is important for ELs to be judged on the skills they do have (language and literacy skills in their native language and content understanding) rather than skills they do not yet have (English proficiency). Shifting the focus from deficits to strengths helps teachers see ELs as students with knowledge and skills that are valuable in and of themselves and which serve as a bridge to English language development.[19]

Students in bilingual programs may also be better able to demonstrate their understanding of academic concepts in the language in which they learned those ideas than in English, even if they are fluent in English.[20] For students in bilingual settings—especially where a content area such as math or science is predominantly taught in the partner language[21]—assessment in the language of instruction provides more relevant feedback to teachers and schools. It also reinforces for students that the development of partner-language skills is just as important a goal as learning English. Accordingly, for many decades, transitional bilingual and dual language schools have used assessments in the partner language to evaluate student progress in language, literacy, and academic achievement even when those tests were not mandated by their district or state.[22]

At a broader level, dual language practitioners have frequently expressed the view that English-only assessment is a detriment to equity and to their ability to implement high-quality programs. After NCLB was passed, such programs came under pressure to increase instruction in English to prepare students for standardized tests.[23] States should consider how providing assessments in languages other than English might positively benefit the overall achievement of students enrolled in such programs. Specifically, allowing them to take assessments in the language in which they are instructed may encourage programs to prioritize deep content understanding, bilingualism, and biliteracy, rather than the demonstration of English skills on a timetable that is ultimately counterproductive.[24]

3 Policy and Practical Considerations

With no clear research to guide implementation, each state must carefully consider factors within the state to decide whether and how to offer native language assessments. Because these assessments require resources to develop and administer, states can also be expected to balance costs against potential benefits. This section describes policy considerations with regard to who could benefit from native language assessments, how they are developed, and how they can be implemented to ensure the tests produce valid and reliable results.

A. How Many Students Will Take Native Language Assessments?

For states contemplating development of native language assessments, a major factor is how many students may be able to take such assessments each year. To answer this question, states take into consideration a number of factors, including students' linguistic and academic backgrounds and the language(s) in which they are instructed.

Which Students

The research findings described in Section 2.C. suggest that native language assessments are effective as an accommodation for students with low English proficiency and/or who have received instruction in their native language. However, this is just a beginning point for identifying eligible children, as this

research does not establish exact parameters for which students fit the criteria. The research also does not account for non-ELs in dual language programs who may also benefit from testing in their language of instruction.

State standardized testing in content areas begins in third grade, so calculating the universe of eligible students begins with a count of ELs in grades 3 through 8 and the high school grade(s) in which testing is done. A state could assume that ELs receiving instruction in their native language would benefit from assessment in that language, but lacking definitive research guidance, it would need to make some assumptions about which ELs in English-only programs might also benefit. This group would be tricky to define. Logically, an EL with low English proficiency but age-appropriate skills in the native language would likely do better on a content test in the native language than in English if it is given shortly after the student arrives in a U.S. school. But further research is needed to understand what length of time between the student's most recent native language instruction and the test date tips the balance between the two options, as well as what minimum level of native language literacy is needed to ensure the effectiveness of the accommodation. Once a state has a count of ELs who could possibly take native language assessments, it might then add non-ELs in the tested grades who are enrolled in dual language programs.

It is important to keep in mind that for students with interrupted formal education, which is defined in some states as ELs entering U.S. schools at least two grade levels behind in literacy and content knowledge,[25] a native language assessment will not necessarily ensure they will pass grade level tests. In particular, if these students have no literacy skills in their home language, they are unlikely to benefit from taking a written test in it.

Which Subjects

If states opt to offer native language assessments to ELs in English-only instruction, they will likely want to provide these tests in all subject areas. However, states administering bilingual education might also want to consider which subjects are taught in which languages in their cost-benefit analysis. For example, students in most dual language programs receive reading/language arts instruction in English and the partner language every year, but program models vary as to the language of instruction for math, science, and social studies.[26] Most states do not have a consistent model across schools, so a survey of bilingual programs might be necessary to find out which subjects are taught in which languages. States may want to conduct this analysis by grade level, as many bilingual and dual language programs do not continue into middle and high school.

Another consideration is whether to offer language arts assessments in the native language. Although it may seem that language arts as a subject is inextricably linked to the language of instruction, most standards in that content area are not language specific. That is to say, most of what is being tested can be demonstrated in any language, such as how an author provides evidence to support an assertion, what words alert the reader that a comparison is being made, or how to pick out a main idea. It should be noted that language proficiency assessments, which evaluate how well students understand, speak, read, and write in a language, are different from language arts assessments and one cannot be substituted for the other. As will be discussed in Section 4, some states allow students to take language arts assessments in a native language in place of English, as they have determined that the tests cover equivalent content-area standards. States would likely benefit from guidance from the U.S. Department of Education on this point. There is some precedent for such input. For example, in school years

2014–15 and 2015–16, the agency granted Hawaii a federal waiver to allow students in its Hawaiian immersion programs to take Hawaiian language arts assessments instead of English language arts for accountability purposes.[27]

Which Languages

As suggested in ESSA, states may choose to produce native language assessments for only those languages that are spoken by a significant percentage of students. While this practice makes sense from a practical point of view, some advocates argue that it puts speakers of other languages at a disadvantage.[28] States would therefore likely want to be prepared to explain how other accommodations may be used to increase the validity of assessment results for ELs who speak less prevalent languages. States may also want to consider the other variables discussed under "Which Students" above: which languages are used for bilingual education (even if not a prevalent language statewide) and which languages are spoken by newcomers.

B. Test Development and Translation

Another major consideration for states investigating the use of native language assessments is how the assessments will be developed. There is a considerable body of literature on the technical demands of and options for creating native language assessments. Several approaches may be used, as shown in Table 2.

These approaches differ primarily in the degree to which test developers adapt the non-English version of the test based on linguistic and cultural differences. For example, a passage written at a third-grade level of difficulty in English might be significantly easier or more difficult in another language depending on the vocabulary chosen. Cultural references and the setting of prose passages might be inappropriate or unfamiliar to students. Additionally, test developers will need to understand the demographic and instructional context to know if there are varia-

TABLE 2

Approaches to Native Language Assessment Development

Approach	Description
Translation	Direct translation of the content of the English test into another language
Transadaptation	Translation of the content, along with modifications to ensure equivalence of word difficulty and to account for other linguistic and cultural differences
Concurrent or simultaneous development	Same as transadaptation but test questions are written by bilingual writers who adjust one or both versions to ensure equivalence
Adaptation	Substantial revision/replacement of questions that were originally written in English to ensure equivalence of the concepts being assessed
Parallel development	Separate development of English and native language versions of a test, using the same content and test specifications

Sources: Melissa Bowles and Charles W. Stansfield, *A Practical Guide to Standards-Based Assessment in the Native Language* (Bethesda, MD: Second Language Testing, Inc., 2008); Sasha Zucker, Margarita Miska, Linda G. Alaniz, and Luis Guzmán, *Transadaptation: Publishing Assessments in World Languages* (Upper Saddle River, NJ: Pearson Education, 2005).

tions in dialect or writing system (e.g., traditional or simplified Chinese) that should be considered.

Test developers will need to understand the demographic and instructional context to know if there are variations in dialect or writing system (e.g., traditional or simplified Chinese) that should be considered.

Standardized tests go through a number of steps after their initial development, including external review by trained professionals and pilot testing. In the case of a translated test, developers must ensure that it is technically equivalent to the English version. If the test was translated or transadapted or underwent parallel development, it should already have the same content validity as the English version (that is, the two versions will be equal in terms of how well the questions test the learning standards), but the linguistic equivalence still needs to be verified. Test developers may rely on professionals to judge the equivalence of translated test questions to the originals, but research indicates this procedure is not sufficient.[29] Back translation—translating a foreign-language version of a test back into English to evaluate its equivalence to the original English—is widely used but problematic for evaluating the quality of the original translation.[30] A translation verification study, which analyzes and compares the technical properties of English and translated versions of each question, can provide a more reliable analysis of the equivalence of the versions. The steps involved in translating or transadapting an assessment may require revisions to a state's standard timeline for test development to ensure that the English version is prepared far enough in advance to be ready for translation, so that both versions are available during the appropriate testing window.[31]

Parallel development requires the highest level of investment in test development and validation procedures.[32] Studies of how individual test questions function (a necessary step for any standardized test) require large sample sizes and scientific expertise.[33] Test developers would also want to conduct studies to investigate whether the English and native language versions of the test are comparable. This would likely have to be done with field tests—assessments given to students solely for the purpose of evaluating the test. It would be challenging to collect such data through regular annual testing, unless experimental procedures (e.g., randomizing who gets a native language test and who gets English) can be put in place. A number of factors may affect the validity and reliability of the results of a field test, including the characteristics of the sample of participating students (compared to the whole population of students who may eventually take the test).[34]

Some researchers recommend that—as an accommodation on tests of state standards—assessments be administered using a bilingual test booklet rather than a translation alone, as this allows students to use both versions to verify that they understand a question. Some bilingual booklets provide stacked translations, placing one language directly above the other, and others arrange booklets side-by-side, with one language on the left page and the other language on the right. The research on which this recommendation is based also shows that the inclusion of a second language does not distract students who choose to read only one language.[35] If a state opts to take this bilingual approach, policymakers would need to decide whether to ask students to respond to open-ended questions only in English or in either language.

C. Implementation

Once an assessment has been developed and tested, decisionmakers will need to set some additional policies. Statewide policy parameters will ensure

consistency for all test takers, although some decisions may be left up to district or school personnel. Policies should include criteria and processes for determining which students can take the test each year, based on categories such as English language proficiency and language of instruction.[36] Districts or states will also need to ensure that student information databases have relevant information to assist school personnel as they make those decisions. Additionally, districts or states might offer teachers, parents, or the students themselves the option to opt out of native language assessment even if they qualify; procedures would need to be developed for this as well. These policies might vary for tests in different subjects and grades.

Beyond having the student test booklet prepared in another language, there are other logistical considerations related to assessment materials. Most systems offer test preparation guides and practice questions to allow teachers and students to get used to the format and types of questions that will be on the assessment. Offering these materials in the native language gives students an accurate preview of the test they will take and the tools to prepare in a language they understand.[37] Additionally, many states use formative assessments given at various points in the school year. These are aligned with their summative, end-of-year tests and help educators identify where students need reinforcement of concepts. It would make sense for these formative assessments to be given in the same language as the summative assessment in order to provide useful information about how to improve students' achievement in tested concepts.

In some contexts, states might require students to take assessments in both languages (particularly for reading/language arts). Where this is done, state policymakers will need to consider how both versions will count within the overall accountability system. If students are required to pass both the English and partner-language versions of a test to meet state standards, they bear double the burden of students who only take the English test and must therefore only pass once. Conversely, if students can count a pass on either version, they are effectively given two chances to succeed where students who only take the English version get just one chance.[38]

Finally, states will need to consider how to track and report results from native language assessments. If such assessments are developed using appropriate procedures, it should be possible to report average test scores regardless of the language of the test. The language of assessment will likely be included as a variable in test administration data to facilitate technical analysis, which means that states could also disaggregate the scores of students taking the assessments in each language for reporting purposes.

D. Capacity and Cost

Given the various policy and practical considerations, state education policymakers and agency administrators can be expected to examine their overall administrative and budgetary capacities when deciding whether and how to offer native language assessments. Resources would need to be committed to developing the initial version of the assessment, plus updates on the same schedule that the English version is refreshed with new questions. Depending on the development method, this might require the services of professional test developers as well as question writers who are native speakers of the language(s) offered, reviewers, and, if necessary, pilot testing with students. The availability of professionals with the necessary skills and language proficiency may be especially challenging for languages other than Spanish. In addition, if there are open-ended questions on the test, individuals qualified to score the responses would also be needed (i.e., professionals with appropriate qualifications such as experience teaching the grade level they are scoring and academic language skills).

Naturally, all of these resources—personnel and materials—come with costs that a state would need to cover.[39] For states that are part of a testing consortium (Partnership for Assessment of Readiness for College and Careers [PARCC] or Smarter Balanced), these costs can be shared. However, as of school year 2018–19, only 15 states plus Washington, DC, used the assessments developed by those consortia.[40]

4 Current Use of Native Language Assessments

Although ESSA lays out general accountability guidelines, states have broad flexibility to determine how student attainment of state academic standards is to be measured. This section looks at which states use native language assessments for school accountability purposes under ESSA. Information on the availability of native language assessments was gathered from the plans that all 50 states plus the District of Columbia submitted to the U.S. Department of Education outlining how they would implement ESSA, which the agency approved in 2017 and 2018. The authors also reviewed state assessment and accountability documents published online and corresponded with state education agency staff when additional clarification was necessary.

A. What Tests Are Offered in Which Languages?

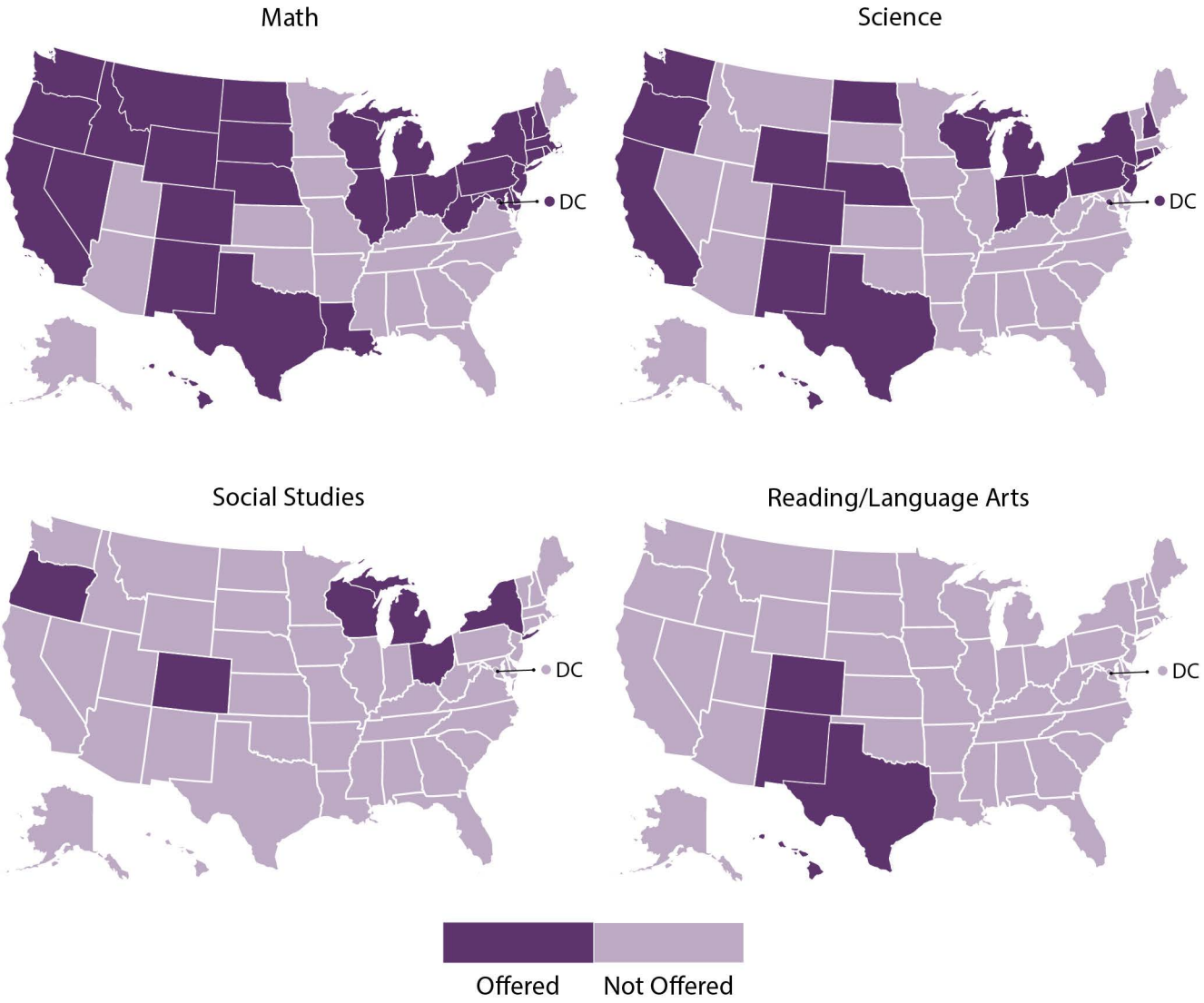
Overall, 31 states plus the District of Columbia offer at least one native language assessment. As Figure 1 shows, all of these jurisdictions offer such assessments in math, and 21 also offer them in science. Native language assessments for social studies and reading/language are less common, and only Colorado offers native language assessments in all four domains.

Almost all of the states that offer native language assessments have versions in Spanish. The lone exception is Hawaii, which offers assessments in Hawaiian. Other languages made available by some states are Arabic, Chinese, Haitian Creole, Korean, Russian, Somali, and Vietnamese. Only Michigan, New York State, and Washington State offer tests in multiple native languages. Michigan offers its science and social studies assessments in two languages, New York State offers its math and social studies assessments in five languages and its science assessment in three, and Washington State offers its science assessment in seven languages. All of the states using Smarter Balanced or PARCC assessments offer their consortium's math test in Spanish, except for Hawaii which is a member of the Smarter Balanced consortium but offers state-developed Hawaiian tests.

Of the various approaches states take to creating native language assessments, direct translations are the most common, while assessments developed separately from their English counterparts are less widespread. In two states, Hawaii and Texas, the reading/language arts assessments were built around Hawaiian and Spanish language arts standards, respectively, and in Colorado they were built around English language arts standards but augmented by Spanish language arts standards. All other assessments (including New Mexico's reading/language arts test and all tests in math, science, and social studies) were created as direct translations or transadaptations, meaning they closely follow the structure and content of the English tests.

FIGURE 1

States Offering Native Language Assessments, by Subject Area



Note: This figure reflects the most recent information available for each state and the District of Columbia at the time of analysis.
Source: see Appendix Table A–1 for a full list of sources.

More information on the academic assessments states offer in languages other than English, including the subject, language, and grades in which the assessments are provided, as well as how and by whom they were developed, can be found in Appendix Table A–1.

B. Languages Present to a Significant Extent

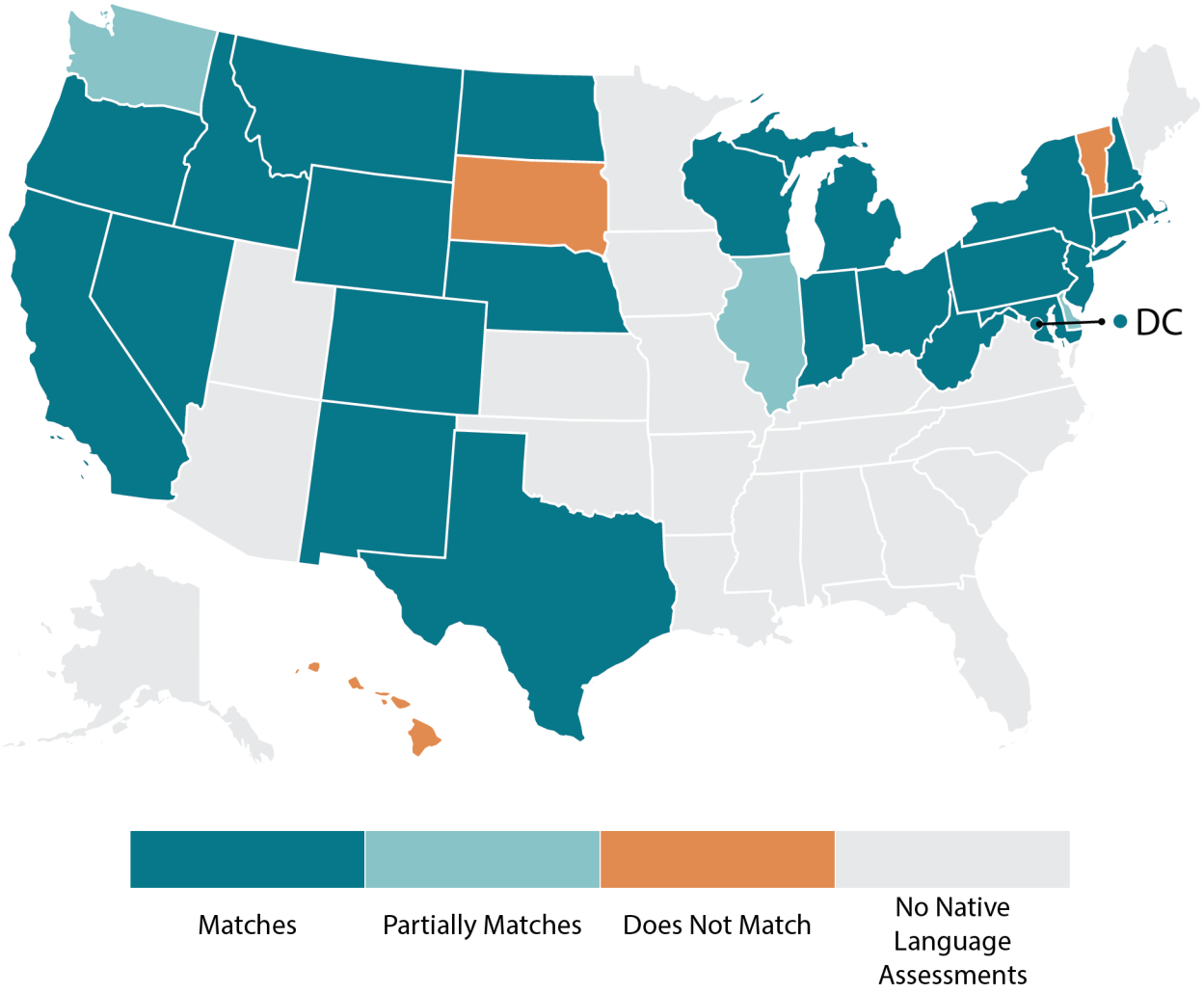
In order to encourage states to consider offering native language assessments, ESSA required states to "identify the languages other than English that are

present to a significant extent in the participating student population of the state and indicate the languages for which annual student academic assessments are not available and are needed."[41] Among the states that offer assessments in a language other than English, 25 states plus the District of Columbia match the tests they offer to the most prevalent non-English language in their K-12 populations (see Figure 2 and Appendix Table A–2 for more information). An additional two states, Delaware and Washington State, offer assessments in some but not all of the languages they define as present to a significant extent. Illinois offers native language assessments in Spanish, but its ESSA plan did not clearly identify the languages present among its students to a significant extent.

In three states, the most prevalent language(s) and the native language assessments offered do not correspond at all. In Hawaii, the most prevalent

FIGURE 2

Alignment of Most Prevalent Languages in a State and the Native Language Assessments Offered



Notes: This figure reflects the most recent information available for each state and the District of Columbia at the time of analysis. Illinois' ESSA plan was not clear on whether languages in addition to Spanish are present to a significant extent. See Appendix Table A–2 for more information on which languages are present to a significant extent and which are offered as assessments.
Source: see Appendix Table A–1 for a full list of sources.

non-English language is Ilokano, and assessments are offered in Hawaiian; in South Dakota, the most prevalent languages are Lakota, Dakota, and Nakota, and assessments are offered in Spanish; and in Vermont, the most prevalent language is Nepali, and assessments are offered in Spanish.

Adding to this state-to-state variation, even in states that offer native language assessments, individual districts, schools, and families may choose not to use them. And in states that restrict the availability of native language assessments to certain students (such as those new to U.S. schools), state education agencies generally do not track whether the restrictions are applied consistently at the school level.

Since writing their initial ESSA implementation plans in 2017, several states have continued the conversation about whether to develop or expand the use of native language assessments. For example, California has offered a Spanish language arts assessment for many years as an optional student performance monitoring tool. With the development of the new California Spanish Assessment, the state is considering how this Spanish language arts assessment can be made part of its accountability system.[42] Meanwhile, Florida lawmakers have made several (as yet unsuccessful) attempts to mandate the development of native language assessments following the state board of education's decision not to include a provision requiring them in its ESSA plan.[43] In their ESSA plans, both of these states identified Spanish as being present to a significant extent.

5 Discussion and Recommendations

The question of when to incorporate native language assessments into state accountability systems is often not a straightforward one, and implementing such assessments can be a complex and expensive undertaking. Research suggests they are effective for ELs with low English proficiency and/or who receive instruction in the language of the assessment, but those studies are limited to middle school students taking tests in math or reading. Decisions about native language assessments and other testing accommodations are also made in ever-evolving demographic and instructional contexts. It is frequently noted that ELs are a large and growing population,[44] but changing U.S. immigration policies and trends make long-term planning challenging, especially when it comes to predicting which languages other than English and Spanish will be widely spoken in the years to come.

The demand for native language assessments is likely to grow with increased interest in bilingual and dual language programs. This interest is tied both to economic motives—helping students develop in-demand, 21st-century skills—as well as increasing recognition of the important role that native languages play in the long-term success of ELs.[45] To that end, more EL educators in non-bilingual classrooms are also implementing practices such as translanguaging,[46] making mismatches between instructional approaches and English-only assessment evident in more contexts.

To fully explore and achieve the potential benefits of native language assessments, states need to dedicate time and resources to carefully considering how these might benefit their K-12 students and work together to create more scalable and affordable models. A variety of actions at federal, state, and local levels could be taken to support these aims:

- **Federal guidance.** ESSA requires states to consider using native language assessments as part of their accountability system but offers no specific guidelines on when or in what contexts. In order to facilitate decision-making, the U.S. Department of Education's Office of English Language Acquisition or Office for Civil Rights could provide a toolkit

describing research and examples of relevant state practices. In particular, the department could clarify how English-only states might incorporate native language assessments as a test accommodation. Some states, such as Tennessee, dismissed the idea of native language assessments out of hand based on the state's law declaring English the official state language,[47] but it is unclear why that rule would preclude the use of other languages as an accommodation for students with limited English proficiency, which is a requirement of civil rights law.[48]

- **A more detailed ESSA template.** The template states used when writing their ESSA plans required them to identify languages spoken to a significant extent and to explain their plans for developing native language assessments. This section of the template likely helped many states identify the need for such accommodations within their student populations. However, as a tool for helping states fully think through the decision-making process, the ESSA template fell somewhat short. For example, it did not ask states to describe how native language assessments would fit into the larger context of test accommodations—for whom and in what contexts they would be appropriate as opposed to other types of accommodations, for example. Additionally, asking only for state-level language data might mask local variation, such as a district with a large number of speakers of a language that isn't prevalent statewide. If the federal ESSA template is revised, or when a new federal reporting template is designed under a future reauthorization of the law, requiring more detail in this section could help states think through their accommodations more comprehensively and explain their thinking to the public.

- **Research priorities.** As an issue of national concern, the U.S. Department of Education's Institute for Education Sciences could make EL test accommodations and native language assessments a priority for its research funding. Private funders whose interests include equity and ESSA might also consider this topic relevant. They may wish to fund efficacy studies, especially in states that have recently expanded the use of native language assessments, or the development of tests in languages other than Spanish.

- **State collaboration.** Even without further federal guidance, states can move forward with the exploration of how to implement or expand their use of native language assessments. State EL and assessment/accountability administrators could form a working group to review data and needs in their states. Additionally, state collaboration—perhaps through working groups of the Council of Chief State School Officers or the National Association of English Learner Program Administrators—could explore ways for states to encourage test consortia (PARCC and Smarter Balanced) to produce existing assessments in additional languages. Working together to develop native language assessments for tests that are state specific would be challenging, but some aspects of the work—such as needs assessment and effectiveness studies—could perhaps be done cooperatively.

- **Knowledge-building at the local level.** It would be hard for most districts to pursue the development of new native language assessments without state support, but larger districts in which ELs make up significant shares of K-12 students often play a role in pioneering new policies, practices, and resources. Again, working cooperatively,

districts could help states understand and prepare for some of the logistical challenges, such as developing systems to determine individual student eligibility to take native language assessments. Also, many districts have long offered standardized tests in Spanish and other languages to students in their dual language programs, and could share their experiences to help states and test developers understand the opportunities and challenges of different types of native language assessments.

In short, although testing is primarily a state responsibility, because of the potential costs involved, it would be beneficial for actors at all levels to collaborate to fully explore the potential of native language assessments. With the federal government's leadership and support from foundations, states can develop innovative solutions to expand capacity and ensure that all ELs who would benefit from such tests have access to them.

Many states are moving forward with plans to expand the availability of dual language and bilingual instructional programs. As they do, more scalable and affordable means of providing assessments in languages other than English that align with accountability systems are urgently needed. With test-based accountability likely to retain a central role in educational policy-making, it is critical to ensure that tests fairly and accurately reflect students' and educators' efforts and, more broadly, that accountability systems support rather than hinder a state's educational goals.

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Appendix

TABLE A–1

Academic Assessments Provided in Languages Other Than English

Subject	Language(s)	Grade(s)	Assessment Type	Source	Notes
			California		
Math	Spanish	3–8	Stacked translation	SBAC	
Science	Spanish	5, 8, HS	Stacked translation	State developed	
			Colorado		
Math	Spanish	3–8	Transadaptation	PARCC	
Science	Spanish	5, 8, 11	Transadaptation	State developed	
Social studies	Spanish	4, 7, 11	Transadaptation	State developed	
Reading/language arts	Spanish	3–4	Parallel development	State developed	Based on English language arts standards, augmented by Common-Core-aligned Spanish language arts standards
			Connecticut		
Math	Spanish	3–8	Stacked translation	SBAC	
Science	Spanish	5, 8, 11	Translation	State developed	
			*Delaware**		
Math	Spanish	3–8	Stacked translation	SBAC	
			District of Columbia		
Math	Spanish	3–8	Transadaptation	PARCC	Computer-based and paper-based tests
Science	Spanish	5, 8, HS (Biology)	Transadaptation	State developed	Paper-based tests
			Hawaii		
Math	Hawaiian	3–8	Parallel development	State developed	
Science	Hawaiian	4–8	Parallel development	State developed	
Reading/language arts	Hawaiian	3–8	Parallel development	State developed	Based on Common-Core-aligned Hawaiian language arts standards
			*Idaho**		
Math	Spanish	3–8, HS	Stacked translation	SBAC	
			Illinois		
Math	Spanish	3–8	Transadaptation	PARCC	
			Indiana		
Math	Spanish	3–8	Stacked translation	State developed	
Science	Spanish	4, 6, HS (Biology)	Stacked translation	State developed	

TABLE A–1 (cont.)

Academic Assessments Provided in Languages Other Than English

Subject	Language(s)	Grade(s)	Assessment Type	Source	Notes
			Louisiana		
Math	Spanish	3–8, HS	Translation	State developed	
			Maryland		
Math	Spanish	3–8, HS	Translation or transadaptation	PARCC	Computer-based tests are transadapted, paper-based tests are available as an accommodation and are direct translation
			Massachusetts		
Math	Spanish	10	Side-by-side transadaptation	State developed	
			Michigan		
Math	Spanish	3–8	Stacked translation	SBAC	
Science	Arabic, Spanish	4, 7, 11	DVD translation with English booklet	State developed	
Social studies	Arabic, Spanish	5, 8, 11	DVD translation with English booklet	State developed	
			Montana		
Math	Spanish	3–8	Stacked translation	SBAC	
			Nebraska		
Math	Spanish	3–8	Side-by-side translation	State developed	Computer-based assessments are Spanish only, and paper forms are side-by-side Spanish and English
Science	Spanish	3–8	Side-by-side translation	State developed	
			Nevada		
Math	Spanish	3–8	Stacked translation	SBAC	
			New Hampshire		
Math	Spanish	3–8	Stacked translation	State developed	
Science	Spanish	5, 8, 11	Translation	State developed	
			New Jersey		
Math	Spanish	3–12	Transadaptation	PARCC	Includes Algebra 1, Geometry, and Algebra 2
Science	Spanish	4, 8, HS	Translation	State developed	Includes New Jersey Biology Competency Test
			New Mexico		
Math	Spanish	3–8, HS	Transadaptation	PARCC	Includes Algebra 1, Geometry, and Algebra 2
Science	Spanish	4, 7, 11	Translation	State developed	
Reading/language arts	Spanish	3–8, HS	Transadaptation	State developed	

TABLE A–1 (cont.)

Academic Assessments Provided in Languages Other Than English

Subject	Language(s)	Grade(s)	Assessment Type	Source	Notes
			New York State		
Math	Chinese (traditional), Haitian Creole, Korean, Russian, Spanish	3–8, HS (Integrated Algebra, Algebra I [Common Core])	Translation	State developed	
Science	Chinese (traditional), Haitian Creole, Spanish	4, 8, HS (Living Environment, Physical Setting/ Earth Science)	Translation	State developed	
Social studies	Chinese (traditional), Haitian Creole, Korean, Russian, Spanish	HS (Global History and Geography, U.S. History and Government)	Translation	State developed	
			North Dakota		
Math	Spanish	3–8, 10	Translation	State developed	
Science	Spanish	4, 8, 10	Translation	State developed	
			Ohio		
Math	Spanish	3–12	Translation	State developed	
Science	Spanish	5, 8	Translation	State developed	
Social studies	Spanish	4, 6	Translation	State developed	
			Oregon		
Math	Spanish	3–8	Stacked translation	SBAC	
Science	Spanish	5, 8, HS	Transadaptation	State developed	
Social studies	Spanish	3–8	Transadaptation	State developed	Social studies tests are optional
			Pennsylvania		
Math	Spanish	3–8, 11	Side-by-side and stacked translation	State developed	Includes Algebra 1
Science	Spanish	4, 8, 11	Side-by-side translation	State developed	Includes Biology Keystone
			Rhode Island		
Math	Spanish	3–8, HS	Translation	State developed	Includes Algebra 1, Geometry, and Algebra 2
Science	Spanish	5, 8, 11	Translation	State developed	
			South Dakota		
Math	Spanish	3–8, 11	Stacked translation	SBAC	

TABLE A–1 (cont.)

Academic Assessments Provided in Languages Other Than English

Subject	Language(s)	Grade(s)	Assessment Type	Source	Notes
			Texas		
Math	Spanish	3–5	Transadaptation	State developed	
Science	Spanish	5	Transadaptation	State developed	
Reading/language arts	Spanish	3–5	Developed separately	State developed	Texas provides STAAR reading in Spanish in grades 3–5, and STAAR writing in Spanish in grade 4
			Vermont		
Math	Spanish	3–8, HS	Stacked translation	SBAC	
			Washington State		
Math	Spanish	3–8, 11	Stacked translation	SBAC	
Science	Arabic, Chinese, Korean, Russian, Somali, Spanish, Vietnamese	5, 8, HS (Biology)	Translation	State developed	
			West Virginia		
Math	Spanish	3–8	Stacked translation	State developed	
			Wisconsin		
Math	Spanish	3–8	Stacked translation	State developed	
Science	Spanish	4, 8	Stacked translation	State developed	
Social studies	Spanish	4, 8, 10	Stacked translation	State developed	
			Wyoming		
Math	Spanish	3–10	Translation	State developed	
Science	Spanish	4, 8, 10	Translation	State developed	

PARCC = Partnership for Assessment of Readiness for College and Careers; SBAC = Smarter Balanced Assessment Consortium.
* Delaware and Idaho also offer other types of native language accommodations for science and/or social studies tests that do not fit within the definition of native language assessments used in this brief.
Note: This table reflects the most recent information available for each state and the District of Columbia at the time of analysis.
Sources: Migration Policy Institute analysis of 50 state and District of Columbia ESSA plans, aggregated at U.S. Department of Education, "ESSA State Plan Submission," updated November 8, 2017. Additional information was gathered through personal communications with state department of education officials and review of state websites.

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TABLE A–2

Alignment of Languages Present to a Significant Extent in a State and the Native Language Assessments They Offer

State	Language(s) Identified in ESSA Plan* as Present to a Significant Extent	Language(s) in Which Assessments Are Offered
Alabama	Spanish	None
Alaska	Yup'ik	None
Arizona	None	None
Arkansas	None	None
California	Spanish	Spanish
Colorado	Spanish	Spanish
Connecticut	Spanish	Spanish
Delaware	Spanish (grades 3–8, 11) Haitian Creole (grades 3–8, 11) Arabic (grade 11)	Spanish
District of Columbia	Spanish	Spanish
Florida	Spanish	None
Georgia	Spanish	None
Hawaii	Ilokano	Hawaiian
Idaho	Spanish	Spanish
Illinois	Unclear**	Spanish
Indiana	Spanish	Spanish
Iowa	Spanish	None
Kansas	Spanish	None
Kentucky	Spanish	None
Louisiana	Spanish	Spanish
Maine	Somali	None
Maryland	Spanish	Spanish
Massachusetts	Spanish	Spanish
Michigan	Spanish Arabic	Spanish Arabic
Minnesota	Spanish Somali Hmong	None
Mississippi	Spanish	None
Missouri	Spanish	None
Montana	German*** Spanish	Spanish
Nebraska	Spanish	Spanish
Nevada	Spanish	Spanish
New Hampshire	Spanish	Spanish

TABLE A–2 (cont.)

Alignment of Languages Present to a Significant Extent in a State and the Native Language Assessments They Offer

State	Language(s) Identified in ESSA Plan* as Present to a Significant Extent	Language(s) in Which Assessments Are Offered
New Jersey	Spanish	Spanish
New Mexico	Spanish	Spanish
New York State	Spanish Chinese	Chinese (traditional) Haitian Creole Korean Russian Spanish
North Carolina	Spanish	None
North Dakota	Spanish	Spanish
Ohio	Spanish	Spanish
Oklahoma	Spanish	None
Oregon	Spanish	Spanish
Pennsylvania	Spanish	Spanish
Rhode Island	Spanish	Spanish
South Carolina	Spanish Russian Vietnamese Chinese Arabic	None
South Dakota	Lakota Dakota Nakota	Spanish
Tennessee	Spanish	None
Texas	Spanish	Spanish
Utah	Spanish	None
Vermont	Nepali	Spanish
Virginia	Spanish Arabic	None
Washington State	Spanish Russian Vietnamese Somali Arabic Ukrainian Tagalog Marshallese Korean Punjabi Chinese (unspecified) Chinese (Mandarin)	Arabic Chinese (unspecified) Korean Russian Somali Spanish Vietnamese

TABLE A–2 (cont.)

Alignment of Languages Present to a Significant Extent in a State and the Native Language Assessments They Offer

State	Language(s) Identified in ESSA Plan* as Present to a Significant Extent	Language(s) in Which Assessments Are Offered
West Virginia	Spanish	Spanish
Wisconsin	Spanish	Spanish
Wyoming	Spanish	Spanish

* Within a state, if more than one language is listed as present to a significant extent, they appear in descending order of frequency spoken.
** The table provided in Illinois's state plan names the top ten languages in the state but does not indicate which of those it considers present to a significant extent.
*** In Montana, German is spoken by Hutterite communities for religious purposes and is not considered a language present to a significant extent for the purposes of student assessment.
Note: This table reflects the most recent information available for each state and the District of Columbia at the time of analysis.
Source: see Appendix Table A–1 for a full list of sources.

Endnotes

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13 The Center on Standards and Assessment Implementation, *Native Language Assessments in the Every Student Succeeds Act (ESSA): Frequently Asked Questions* (San Francisco: WestEd, 2017).
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15 Students were Spanish-speaking ELs in grades 3 and 4 who took a study-developed math test. Accommodations included English and bilingual direct linguistic supports but did not include native language assessment. See Rebecca J. Kopriva, Jessica E. Emick, Carlos Porfirio Hipolito-Delgado, and Catherine A. Cameron, "Do Proper Accommodation Assignments Make a Difference? Examining the Impact of Improved Decision Making on Scores for English Language Learners," *Educational Measurement: Issues and Practice* 26, no. 3 (2007): 11–20.
16 Maria Pennock-Roman and Charlene Rivera, "Mean Effects of Test Accommodations for ELLs and Non-ELLs: A Meta-Analysis of Experimental Studies," *Educational Measurement: Issues and Practice* 30, no. 3 (2011): 10–28.
17 Assessments were the National Assessment of Educational Progress in math (used in three studies), the Minnesota Basic Standards Test in reading, and a study-designed reading test. See Kieffer, Lesaux, Rivera, and Francis, "Accommodations for English Language Learners"; Pennock-Roman and Rivera, "Mean Effects of Test Accommodations for ELLs and Non-ELLs."
18 Pennock-Roman and Rivera, "Mean Effects of Test Accommodations for ELLs and Non-ELLs."
19 Ester J. de Jong, *Foundations for Multilingualism in Education: From Principles to Practice* (Philadelphia: Caslon Publishing, 2011).
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31 Bowles and Stansfield, *A Practical Guide*.
32 Bowles and Stansfield, *A Practical Guide*.
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34 Bowles and Stansfield, *A Practical Guide*.
35 Bowles and Stansfield, *A Practical Guide*.
36 Pennock-Roman and Rivera, "Mean Effects of Test Accommodations for ELLs and Non-ELLs."
37 Bowles and Stansfield, *A Practical Guide*.
38 Elaine Allensworth, "Valid and Reliable Assessments for ELs in School Accountability Systems" (presentation at the symposium Exploring Fair Accountability for English Learners in Academic Content, Latino Policy Forum, Chicago, May 3, 2017).
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40 States using Partnership for Assessment of Readiness for College and Careers (PARCC) tests are Illinois, Maryland, New Jersey, and New Mexico as well as the District of Columbia. States using Smarter Balanced tests are California, Connecticut, Delaware, Hawaii, Idaho, Montana, Nevada, Oregon, South Dakota, Vermont, and Washington State. See Catherine Gewertz, "What Tests Does Each State Require?" *Education Week,* March 5, 2019.
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45 American Academy of Arts and Sciences, Commission on Language Learning, *America's Languages*.
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47 Tennessee Department of Education, "Every Student Succeeds Act: Building on Success in Tennessee" (state ESSA plan, Tennessee Department of Education, Nashville, 2018).
48 See Question 8 in U.S. Department of Justice, Civil Rights Division, "EO 13166—Commonly Asked Questions and Answers Regarding Executive Order 13166," updated December 19, 2019.

About the Authors

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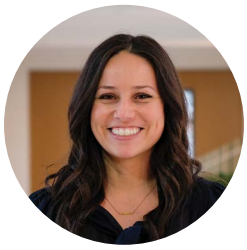
Julie Sugarman is Senior Policy Analyst for PreK-12 Education at the Migration Policy Institute (MPI) National Center on Immigrant Integration Policy, where she focuses on issues related to immigrant and English Learner (EL) students. Among her areas of focus: policies, funding mechanisms, and district- and school-level practices that support high-quality instructional services for these youth, as well as the particular needs of immigrant and refugee students who first enter U.S. schools at the middle and high school levels.

Dr. Sugarman came to MPI from the Center for Applied Linguistics, where she specialized in the evaluation of educational programs for language learners and in dual language/two-way immersion programs. She earned a BA in anthropology and French from Bryn Mawr College, an MA in anthropology from the University of Virginia, and a PhD in second language education and culture from the University of Maryland, College Park.



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