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Office of Standards, Assessment and Reporting

October 2008

To: District Superintendents  
Superintendents of Public and Nonpublic Schools  
Principals of Public, Nonpublic, and Charter Schools

From: David Abrams

Subject: Testing Accommodations for Former Limited English  
Proficient/English Language Learners

On September 15, 2008, the Board of Regents approved a policy that permits schools to provide testing accommodations on New York State examinations to former limited English proficient/English language learners (LEP/ELLs), for up to two years after they achieve proficiency on the New York State English as a Second Language Achievement Test (NYSESLAT). Beginning this school year, the testing accommodations that may be provided to LEP/ELLs may also be provided to former LEP/ELLs who achieved the proficient level on either of the two most recent administrations of the NYSESLAT. **Therefore, during the 2008-09 school year, schools may provide these accommodations to those former LEP/ELLs who achieved the proficient level on the NYSESLAT that was administered in either spring 2007 or spring 2008.** Schools may not provide testing accommodations to former LEP/ELLs who achieved the proficient level prior to the spring 2007 NYSESLAT administration.

The list of approved testing accommodations is enclosed. Similar lists may also be found in the 2008 editions of the Directions for Administering Regents Examinations and in the School Administrator's Manuals for the Grades 3-8 Tests in English Language Arts and Mathematics. These documents may be accessed at: <http://www.emsc.nysed.gov/osa/sam/>. Future test manuals and teacher's directions will include information pertaining to the provision of testing accommodations to former LEP/ELLs.

If you have further questions about the provision of testing accommodations for former LEP/ELLs, you may contact the Office of State Assessment by sending an e-mail to [emscassessinfo@mail.nysed.gov](mailto:emscassessinfo@mail.nysed.gov) or by calling 518-474-5902. We appreciate your efforts and look forward to continue working cooperatively with you in the provision of services to LEP/ELLs.

Enclosure

cc: Jean Stevens  
Pedro Ruiz

## **Testing Accommodations That May Be Provided to Limited English Proficient/English Language Learners (LEP/ELLs)**

- *Time Extension.* Schools may extend the test time for LEP/ELLs taking State examinations. Principals may use any reasonable extensions, such as "time and a half" (the required testing time plus half that amount), in accordance with their best judgment about the needs of the LEP/ELLs. Principals should consult with the student's classroom teacher in making these determinations.
- *Separate Location.* Schools are required to provide optimal testing environments and facilities for all students. They may administer examinations to LEP/ELLs individually or in small groups in a separate location.
- *Third Reading of Listening Selection.* Proctors may read the listening passage of the Grades 3-8 English Language Arts Tests or of the Regents Comprehensive Examination in English a third time to LEP/ELLs. This accommodation is not permitted on State examinations in foreign languages such as the Regents Comprehensive Examination in Spanish.
- *Bilingual Dictionaries and Glossaries.* LEP/ELLs may use bilingual dictionaries and glossaries when taking all State examinations with the exception of the Second Language Proficiency Examinations, Regents Comprehensive Examinations in foreign languages, and the Regents Competency Tests (RCTs) in Reading and Writing. The bilingual dictionaries and glossaries may provide only direct translations of words; definitions or explanations are **not** permitted. No student may use an English language dictionary when taking any State examination.
- *Simultaneous Use of English and Alternative Language Editions.* When taking State examinations for which the Department provides written translations, LEP/ELLs may use both an English and an alternative language edition of the test simultaneously. However, they must be instructed to record all of their responses in only one of the two editions. The alternative language edition used by the student should be so indicated on the student's answer sheet. Because the alternative-language editions of the RCTs are not direct translations of the English-language editions, students *may not* be given both.
- *Oral Translation for Lower-Incidence Languages.* Schools may provide LEP/ELLs with an oral translation of a State examination when there is no translated edition provided by the Department. This accommodation is permitted for State examinations in all subjects except English and foreign languages. All translations must be oral, direct translations of the English editions; written translations are *not* allowed. No clarifications or explanations may be provided.

Translators may be provided copies of the English edition of the tests no earlier than one hour prior to administration to become familiar with the material. Translators who also serve as proctors must be familiar with the procedures for administering State examinations. Principals must take the necessary

precautions to ensure that the examinations are properly administered and that the students receiving translation services are not given an unfair advantage. The Department's Office of Bilingual Education and Foreign Language Studies and the Bilingual/ESL Technical Assistance Centers (BETACs) can assist schools in locating suitable translators.

- *Writing Responses in the Native Language.* LEP/ELLs making use of alternative language editions or oral translations of State examinations may write their responses to the open-ended questions in their native language. Scoring the tests is the responsibility of the school. However, the Department's Office of Bilingual Education and Foreign Language Studies and the BETACs can assist schools in locating persons who can translate the students' responses into English to facilitate scoring of the answer papers.

Note: The NYSESLAT is designed specifically for LEP/ELLs. Therefore, testing accommodations ordinarily provided to LEP/ELLs taking other State examinations are not permitted for NYSESLAT.