

# *Guidelines for Testing Students Identified as Limited English Proficient*

North Carolina Testing Program  
Grades 3–12

*Published September 2005*

**Public Schools of North Carolina**

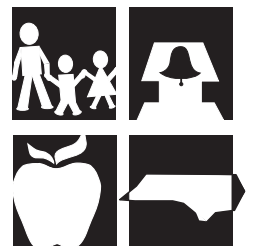
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## Introduction

Students whose primary language is not English and who are of limited English proficiency represent a steadily increasing percentage of North Carolina’s school population and are enrolled at all grade levels in urban, suburban, and rural communities across the state. Federal statutes require that school systems provide an equal educational opportunity for all students, including those identified as limited English proficient. Most recently, Title III of *No Child Left Behind* holds State educational agencies, local educational agencies, and schools accountable for increases in English language proficiency and core academic content knowledge of limited English proficient students. Educators, therefore, must address the testing of limited English proficient students. Since 1995, the North Carolina Department of Public Instruction has published resources designed to assist school personnel in providing a quality educational program for these students. In 2003, the first **English Language Development Standard Course of Study** (ELDSCS) was approved by the State Board of Education. To access the ELDSCS and other resources and information regarding students of limited English proficiency, please visit the English as a Second Language Web site at <http://community.learnnc.org/dpi/esl/>.

In 1996, the publication *Guidelines for Testing Students with Limited English Proficiency* provided further clarification for the participation of students identified as limited English proficient in the statewide testing program and was adopted as State Board of Education policy effective October 1997. This publication represents its second revision.

### The North Carolina Testing Program

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<b>School-Based Management and Accountability Program</b>	According to G.S. §115C-105.20, which addresses the school-based management and accountability program:  “The General Assembly believes that all children can learn. It is the intent of the General Assembly that the mission of the public school community is to challenge with high expectations each child to learn, to achieve, and to fulfill his or her potential. With that mission as its guide, the State Board of Education shall develop a School-Based Management and Accountability Program. The primary goal of the Program shall be to improve student performance.”
<b>The Purposes of the North Carolina Testing Program</b>	The purposes of the North Carolina Testing Program, as described in G.S. §115C-174.10, are as follows:  <ol style="list-style-type: none"><li data-bbox="480 1541 1505 1610">1. “To assure that all high school graduates possess those minimum skills and that knowledge thought necessary to function as a member of society;</li><li data-bbox="480 1644 1505 1713">2. To provide a means of identifying strengths and weaknesses in the education process in order to improve instructional delivery; and</li><li data-bbox="480 1747 1505 1814">3. To establish additional means for making the education system at the State, local, and school levels accountable to the public for results.”</li></ol>

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**Components of the  
North Carolina  
Testing Program**

G.S. § 115C-174.11, Components of the Testing Program, states:

(a) Assessment instruments for First and Second Grades: The State Board of Education shall adopt and provide to the local school administrative units developmentally appropriate individualized assessment instruments consistent with the Basic Education Program for the first and second grades, rather than standardized tests. Local school administrative units may use these assessment instruments provided to them by the State Board for first and second grade students and shall not use standardized tests except as required as a condition of receiving a federal grant under the Reading First Program.

(b) Competency Testing Program

(1) The State Board of Education shall adopt tests or other measurement devices which may be used to assure that graduates of the public high schools and graduates of non-public schools supervised by the State Board of Education pursuant to the provisions of Part 1 of Article 39 of this Chapter possess the skills and knowledge necessary to function independently and successfully in assuming the responsibilities of citizenship.

(2) The tests shall be administered annually to all ninth grade students in the public schools. Students who fail to attain the required minimum standard for graduation in the ninth grade shall be given remedial instruction and additional opportunities to take the test up to and including the last month of the twelfth grade. Students who fail to pass parts of the test shall be retested on only those parts they fail. Students in the ninth grade who are enrolled in special education programs or who have been officially designated as eligible for participation in such programs may be excluded from the testing programs.

(3) The State Board of Education may develop and validate alternate means and standards for demonstrating minimum competence. These standards which must be as difficult as the tests adopted pursuant to subdivision (1) of this subsection.

(c) Annual Testing Program

(1) The State Board of Education shall adopt a system of annual testing for grades three through twelve. These tests shall be designed to measure progress toward reading, communication skills, and mathematics for grades three through eight, and toward competencies designated by the State Board for grades nine through twelve. Students who do not pass the tests adopted for eighth grade shall be provided remedial instruction in the ninth grade. This assistance shall be calculated to prepare the students to pass the competency test administered under subsection (b) of this section.

(2) If the State Board of Education finds that additional testing in grades three

through twelve is desirable to allow comparisons with national indicators of student achievement, that testing shall be conducted with the smallest size sample of students necessary to assure valid comparisons with other states.

**Student Performance and Achievement**

Students and schools are accountable for student performance and achievement. All students are to be given the opportunity to receive instruction that will allow them to perform successfully on all State-required tests.

**Rules, Guidelines, and Procedures for Implementation of the North Carolina Testing Program**

On July 9, 1998, the North Carolina State Board of Education (SBE) adopted the policy *Rules, Guidelines, and Procedures for the Implementation of the North Carolina Testing Program* (HSP-A-009). According to this policy:

“Information contained within ‘Rules, Guidelines, and Procedures for the Implementation of the North Carolina Testing Program’; the test administrator’s manual for each test; periodic training provided to each LEA (local education agency); any corresponding policies such as ‘Guidelines for Testing Students with Limited English Proficiency’ and ‘Testing Modifications and Accommodations for Students with Disabilities’ and any subsequent updates shall apply to all public school personnel who are responsible for the implementation of the North Carolina Testing Program. The information shall set forth the rules and procedures required for a proper test administration and shall be provided to each LEA by the department (NCDPI) through the LEA test coordinator.

The LEA superintendent shall assure that each school follows the established testing procedures by informing building-level administrators of their responsibilities. Local boards of education shall cooperate with the State Board of Education in implementing the provisions of this policy.”

**Testing Code of Ethics**

The North Carolina *Testing Code of Ethics* addresses appropriate professional practices for central office and school administrators, test coordinators, teachers (test administrators), and proctors in the areas of securing tests, administering tests, scoring, reporting, and interpreting test results. Ethical practices for administering North Carolina tests include but are not limited to: (1) informing students about the tests and why the tests are important; (2) informing students and parents as to how the tests and test results will be used; (3) ensuring that all eligible students take the tests; (4) encouraging students to attempt to respond to all test items and do their very best; (5) preparing students to take the test; and (6) sharing the results of the tests along with any available interpretation of the scores with students and parents within the allotted timelines. In addition, the importance of maintaining test security at all times must be stressed. Ethical practices ensure validity of the test results.

Each North Carolina test administrator’s manual or guide contains a copy of the *Testing Code of Ethics* for review and must be discussed during the training session for the test administrator and proctor. The *Testing Code of Ethics* is part of Title 16 of the Administrative Code and must not be removed from the manuals, guides, or this publication. (A copy may be requested from the school system test coordinator for reference.) The sanctions for violations are included in the *Testing Code of*

*Ethics* and are applicable to the administration of all secure State-mandated tests.

**Students Identified as Limited English Proficient**

This publication contains policy guidelines and procedures for testing students identified as limited English proficient in the North Carolina Testing Program at grades 3–12. In accordance with North Carolina law SL2002-284 Section 7.15(b), for funding and accountability, only students who score below Superior on the State-mandated English language proficiency test can be identified as limited English proficient.

Determining if a student is identified as limited English proficient for funding and accountability purposes is based solely on scores from the State-identified English language proficiency tests. A student remains identified as limited English proficient until he or she scores Superior on all subtests of the State-identified English language proficiency tests within the same test administration.

The U.S. Office for Civil Rights as well as North Carolina State Board of Education policy HSP-K-000 (16 NCAC 6D.0106) requires that a home language survey (HLS) be administered to all students upon initial enrollment. The home language survey is used to help determine if the student is a language-minority student. *Additional information regarding the home language survey is located in Section B of this publication.*

**Federal and State Policy Information for Testing Students Identified as Limited English Proficient**

The federal Elementary and Secondary Schools Act of 2001 (*No Child Left Behind Act of 2001*) requires the states to implement yearly student academic assessments that include, at a minimum, academic assessments in mathematics and reading or language arts. All students, including those identified as limited English proficient, must participate.

North Carolina State Board of Education policy reflects the federal mandate to include the following information: students identified as limited English proficient and students with disabilities shall be included in the statewide testing program as follows: standard test administration, standard test administration with accommodations/modification, or the State-designated alternate assessment.

Students identified as limited English proficient that have been assessed on the State-identified English language proficiency tests (State Board of Education policy HSP-A-011) as below Intermediate High in reading may participate in the State-designated alternate assessment for up to two years (24 months) in U.S. schools. The State-designated alternate assessment may be used in the areas of reading and mathematics at grades 3–8 and 10, writing at grades 4, 7, and 10, and in high school courses in which an end-of-course test is administered. Limited English proficient students who have been assessed on the State-identified English language proficiency tests (State Board of Education policy HSP-A-011) as below Superior in writing may participate in the State-designated alternate assessment in writing at grades 4, 7, and 10 for up to two years (24 months) in U.S. schools.

All students identified as limited English proficient must be assessed using the State-identified English language proficiency tests at initial enrollment and annually thereafter during the window of February 1 to April 30. A student who enrolls after January 1 does not have to be retested during the same school year.

On May 5, 2005, effective with the 2005–06 school year, State Board of Education policy states the following with respect to students identified as limited English proficient during their first year in U.S. schools.\*

\*Note: First year of enrollment in U.S. schools refers to the first school year that a student has been enrolled in any U.S. school prior to the current school year, the student, regardless of his or her enrollment period, would be expected to be assessed in reading, mathematics and writing at grades 4, 7, and 10.

Schools shall:

a) continue to administer State reading, mathematics, EOC assessments, and writing tests for students identified as LEP who score at or above Intermediate High on the State-identified English language proficiency reading test during their first year in U.S. schools.\* Results from these assessments will be included in the ABCs and AYP.

b) not require students identified as limited English proficient who score below Intermediate High on the State-identified English language proficiency reading test in their first year in U.S. schools to be assessed on the North Carolina reading end-of-grade tests, high school comprehensive test in reading, the writing assessment at grades 4, 7, and 10, the State-designated alternate assessment for reading, or the State-designated alternate assessment for writing. Scores from students who are in their first year in U.S. schools and have scored below Intermediate High on the reading section of the State-identified English language proficiency test shall not be included in either growth, the performance composite, or AYP determinations for reading or mathematics.

c) for purposes of determining participation, the State-identified English language proficiency reading test will be used as reading participation for the students who are in their first year in U.S. schools and have scored below Intermediate High on the reading section of the State-identified English language proficiency test and participation in the State-identified English language proficiency writing test will be used as writing participation for these students.

d) students previously identified as LEP, who have exited LEP identification during the last two years, be included in the calculations for determining the status of the LEP subgroup for AYP only if that

subgroup already met the minimum number of 40 students required for a subgroup.

**Accountability  
Standards for  
Students Identified  
as Limited English  
Proficient**

According to State Board of Education Policy HSP-N-008 (16 NCAC 6D .0507); G.S. §115C-12 (9b); G.S. § 115C-81(b)(4); and the North Carolina Constitution, Article IX, Section 5: (effective April 1, 2005)

“Students of limited English proficiency shall meet the same standards as all students. However, in accordance with federal law, English language proficiency cannot be the factor that determines that a student has not met performance standards at each gateway. Therefore, LEAs shall use the following guidelines:

- (1) Gateways 1, 2, and 3.
  - (A) If a student scores below advanced in reading or writing on the state English language proficiency assessment, the student may be eligible for a waiver from the test standard for promotion through no more than two consecutive gateways.
  - (B) A local teacher or administrator or the student’s parent or legal guardian must request the waiver. The person making the request for a waiver must submit evidence of student work to a local committee of teachers and administrators to determine if:
    - (i) the student’s English language proficiency is the cause of the student’s inability to perform at grade level on the required tests; and
    - (ii) documentation indicates that the student is making adequate progress in all academic areas to be promoted to the next level.
- (2) Gateway 4. High School Graduation Requirements. Limited English proficient students shall meet the same standards as all students for high school graduation.
- (3) School districts shall provide focused intervention for these students until they have met statewide promotion standards and high school graduation requirements (up to age 21). This intervention shall involve extended, supplemental instructional opportunities that include assistance in the development of English language proficiency. These students shall have personalized education plans with the following components: diagnostic evaluation, intervention strategies, and monitoring strategies.”

**Policy Stating the Annual Measurable Achievement Objectives for NCLB Title III**

State Board of Education policy outlines the Annual Measurable Achievement Objectives (AMAOs). AMAOs have been developed to meet the of *No Child Left Behind* Title III requirements.

By the 2013–2014 academic year, 100 percent of students identified as limited English proficient shall demonstrate progress (improve at least one proficiency level) in at least one of the subtests (reading, writing, listening, and speaking) on the State-identified English language proficiency test.

By the 2013–2014 academic year, 100 percent of students identified as limited English proficient and who have been in U.S. schools for at least five years shall score at the Superior level on all subtests of the State-identified English language proficiency test.

**State Policy Setting the Cut Scores for the State-Identified English Language Proficiency Test: IDEA® English Language Proficiency Tests (IPT)**

State Board of Education policy HSP-A-011 establishes the approved cut scores for the IDEA® English Language Proficiency Tests (IPT) to determine identification of limited English proficient students as well as eligibility for an assessment and/or accommodations. Scores from the IPT will also be used to demonstrate progress in acquiring attainment of English language proficiency. The cut score chart for these tests must be used in determining a student’s speaking, listening, reading, and writing proficiency levels. These proficiency levels are then used to determine LEP identification, level of services, assessment accommodations, and/or participation in the State-designated alternate assessment.

Determining if a student is identified as LEP for funding and accountability purposes is based solely on IPT test scores. A student remains identified as LEP until he or she scores Superior on all subtests of the IPT within the same test administration.

**Establishing a Local Procedure to Ensure Student Participation in the State Testing Program**

State and federal laws require that all students participate in the statewide testing program. A local procedure must be established in the LEA to ensure that all students, including those identified as limited English proficient who have the appropriate documentation (1) participate in the standard administration of a North Carolina test; (2) receive appropriate accommodation(s) during the administration of a North Carolina test; and/or (3) participate in a North Carolina alternate assessment. All test administrators and proctors, including those who administer State tests with accommodations or provide a North Carolina alternate assessment, must adhere to the North Carolina *Testing Code of Ethics* (located at the back of this manual). To ensure that test results are valid, all school personnel must follow the appropriate procedures as located in this publication and other designated State publications for use of the accommodation or alternate assessment for students who qualify. If questions arise regarding procedures for determining or using appropriate accommodations or North Carolina alternate assessments, school staff must contact the LEA test coordinator.

**General  
Information for  
Alternate  
Assessments**

In order for a student identified as limited English proficient to participate in the State-designated alternate assessment, the need for this assessment must be documented in the student's appropriate limited English proficiency documentation.

**General  
Information for  
Accommodations**

Standardized test procedures for students identified as limited English proficient require that test accommodations and administrative procedures be developed and implemented to assure that individual student needs are met and, at the same time, maintain sufficient uniformity of the test administration to maintain test validity, and to fulfill the requirements of testing for accountability. **One of the purposes of State tests is to generate information for the purpose of accountability. State tests are not designed to provide comprehensive diagnostic information at the individual student level.** A student may require the use of more than one of these accommodations in order to obtain access to a given test. Accommodations designated for the tests should be consistent with the accommodations used routinely during classroom instruction and similar classroom assessments.

For any State-mandated test, the accommodation must (1) be documented in the student's appropriate limited English proficiency documentation and (2) the documentation must reflect routine use during instruction and similar classroom assessments that measure the same construct. It is vital for students identified as limited English proficient to receive accommodations that allow them to demonstrate their true abilities on State-mandated tests; however, students must not receive unnecessary or inappropriate accommodations.

**Recommendations for the use of accommodations during test administrations based solely on the potential to enhance student performance beyond providing equal access and opportunity to perform are not appropriate.**

Accommodations that alter the content of the test, interfere with the measurement of the construct, or provide inappropriate assistance to the student within the context of the test invalidate the results of the test. Use of accommodations for North Carolina tests that are not specified in this publication may invalidate the results of a given test. Additional information regarding accommodations for State tests is located in this publication.

Practices that invalidate the results of the test include:

1. Test administrator reads aloud in English a reading test designed to measure reading comprehension;
2. Use of a calculator on a calculator-inactive portion of a mathematics test;
3. Use of an English/native language dictionary that contains definitions, diagrams, written notes, formulas, or does not meet the approved specifications of the designated school official;
4. Testing prior to the school's scheduled testing date; and
5. Translation of directions into the student's native language.

**Providing  
Information and  
Updates**

Parents, limited English proficiency committee members, directors of instruction, teachers, LEA limited English proficient coordinators, LEA test coordinators, principals, and superintendents must review this publication prior to making decisions about students identified as limited English proficient who are participating in the North Carolina Testing Program at grades 3–12.

The LEA test coordinators are to provide any subsequent updates to this publication or any publication that will provide additional information to inform the decision-making for testing students identified as limited English proficient.

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## A. Responsibilities of the LEA Test Coordinators and Limited English Proficiency (LEP) Coordinators

There must be communication and cooperation between LEA (local education agency) test coordinators and LEP coordinators to ensure that appropriate training and support are offered to all test administrators/assessors and related personnel involved in all tests that are part of the North Carolina Testing Program. The LEA test coordinator and LEA LEP coordinator must work collaboratively to provide information to school-based staff regarding procedures for testing students identified as limited English proficient. These procedures shall include how to appropriately document student participation in the statewide testing program under the following conditions:

1. Testing under standard conditions (i.e., without accommodations);
2. Testing with accommodations; and/or
3. Participating in the State-designated alternate assessment.

### Document Information

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LEA test coordinators and LEP coordinators are to review and distribute copies of this document, which contains State Board of Education policies for testing students identified as limited English proficient, to appropriate school personnel so that these designated individuals can make informed decisions related to testing students identified as limited English proficient.

### Joint Responsibility

It is recommended that LEAs develop a local plan to designate responsibilities for the LEA test coordinator and LEP coordinator to more clearly define roles in the assessment of students identified as limited English proficient. It is the joint responsibility of LEA test coordinators and LEP coordinators to work collaboratively to ensure that the following occurs within a reasonable time frame.

1. School test coordinators, all school administrators, and all teachers, parent(s), guardian(s), and surrogate parent(s), must be informed about the:
  - a. State testing requirements at each grade level (including the State-identified English language proficiency test and NAEP);
  - b. Statewide Student Accountability Standards and Student Accountability Standards for Students Identified as Limited English Proficient;
  - c. Graduation requirements and implications for students who do not participate in administrations of North Carolina tests that have a standard for graduation such as the North Carolina Test of Computer Skills or the North Carolina Competency Tests of Reading and Mathematics;

**NOTE:** Students identified as limited English proficient must pass the computer skills and competency tests as well as meet all State and local graduation requirements in order to receive a North Carolina high school diploma. Students, parents, and/or guardians should be advised of the

consequences of not taking these tests, and these students will not receive a high school diploma until the competency and computer skills proficiency standards have been met. The administration of the North Carolina Test of Computer Skills or the North Carolina Competency Tests of Reading and Mathematics should be based on the individual limited English proficient student and his or her comprehension of the English language.

If the student scores Superior on all subtests of the State-identified English language proficiency test at any time, the student must participate in all State-mandated tests including the computer skills test as well as the competency tests without accommodations.

If the student scores below Superior on the reading portion of the State-identified English language proficiency test, the student may receive appropriate accommodations. However, students in their first year of U.S. schools scoring Novice Low/Novice High on reading of the State-identified English language proficiency test should not be forced to participate in the regular administration of the North Carolina Test of Computer Skills and the North Carolina Competency Tests of Reading and Mathematics. These students however, are eligible to receive the Test Administrator Reads Test Aloud accommodation for the administration of the North Carolina Test of Computer Skills Tests and the North Carolina Competency Test of Mathematics.

- d. Guidelines governing the use of testing accommodations; and
  - e. Guidelines governing the use of the State-designated alternate assessment.
2. A local monitoring system is to be established to ensure that only eligible students identified as limited English proficient with the appropriate documentation:
    - a. Use testing accommodations during the administration of State tests and, in order to ensure valid test results, all State policies are followed; and
    - b. Participate in North Carolina alternate assessment(s) when not participating in a statewide test administration under standard conditions or with accommodations.
  3. Appropriate limited English proficiency documentation is on file in the event of State audits or monitoring that may be required as part of the North Carolina Testing Program.
  4. Arrange any special scheduling or other provisions that may be required to accommodate the testing of students identified as limited English proficient.

5. Each school's implementation of State policies is monitored to ensure that appropriate procedures are followed during the administration of State tests using accommodations. Appropriate accommodations are only provided to eligible students identified as limited English proficient who have a documented need. *If a student is tested and the school does not provide the approved accommodation, (a) a Report of Testing Irregularity form is to be completed, (b) the superintendent/LEA test coordinator declares a misadministration, and (c) the student is retested with another form of the test with the approved accommodation unless the parent/guardian signs a statement specifying that the parent/guardian waives the right to have the student re-tested with the documented accommodation and the test results from the administration without the accommodation will be used for State and local accountability purposes and student performance/placement.*
6. Work collaboratively to devise a local system for (a) notifying parents/guardians and students about the accommodations the student is to use during the actual test administration prior to the actual test administration date and (b) developing procedures to follow in the event that a student declines to use an approved accommodation during an actual test administration. *Additional information is located in Section B of this publication.*
7. Ensure that all appropriate staff receives training on the State-identified language proficiency test and the State-designated alternate assessment.

### **Joint Training of Local Staff**

The LEA will conduct training sessions on testing students identified as limited English proficient for test administrators, proctors, ESL teachers, and any other appropriate school personnel involved in administering the test, using accommodations during the administration of a State test (with the exception of the State-identified English language proficiency test), or assisting or completing an alternate assessment for students identified as limited English proficient.

*In no case shall a test be administered by an individual who has not participated in training on administering State tests (including the State-identified English language proficiency test), the appropriate use of accommodations, or procedures for documenting and completing alternate assessments.*

All school system personnel are to be aware of the following when administering State tests with or without accommodations:

1. Trained proctors must be provided during administrations of all State-mandated tests regardless of the number of students tested, with the exception of certain State-identified English language proficiency test administrations. Please refer to the State-identified English language proficiency test administrator's manual for specific details.
2. Every attempt should be made to relieve test anxiety.

3. The security of the test must be maintained at all times.

The training is to include:

1. Information located in the *Guidelines for Testing Students Identified as Limited English Proficient* document (this publication) and the *Testing Code of Ethics* (located in the Appendix). The *Testing Code of Ethics* includes information about maintaining test security and the sanctions for violations.
2. Only the superintendent or the superintendent's designee, usually the LEA test coordinator, is permitted to order secure test materials.
3. *Accommodations*. Additional information regarding accommodations is located in Sections B and C of this publication.

Training is to include the appropriate use of accommodations prior to the administration of each State test to ensure valid test results. Training must include the (a) review of the standard procedures for administering the tests, (b) which accommodation(s) have been approved for the student to use with specific tests, and (c) appropriate use of and procedures for the accommodation(s).

It is possible that the accommodation may only apply to one test (for example, reading comprehension or mathematics) or one part of the test (for example, end-of-grade calculator active or end-of-grade calculator inactive). In addition, a student may have approval for more than one accommodation due to his or her individual needs.

If appropriate, a small group of students in the same grade at the same school using the same accommodation at one testing site (i.e., classroom) may use the same form of the test (e.g., students using the Test Administrator Reads Test Aloud accommodation for a test that does not measure reading comprehension) if approved and documented for each student prior to the test administration.

Procedures for the storage or return of test materials used with accommodations are located in each test administrator's manual.

When information regarding the use of procedural accommodations is requested, the test administrator must code all applicable bubbles on the student test document/answer sheet to identify the specific accommodation(s) used during the test administration. Coding must be accurate. This information is used for State and federal reporting purposes and in making determinations about the validity of the scores.

When a State test is administered with the use of accommodations, students are to be provided the following information on an individual basis before the test date:

- a. Identity of the test administrator and/or proctor;
  - b. Date, time, and room location of the test administration; and
  - c. Testing accommodations and information on how the accommodations are provided. It is desirable that students know and have worked with the test administrator or proctor prior to the test administration.
4. *The State-designated alternate assessment.* While training for the State-designated alternate assessment for students identified as limited English proficient is the responsibility of the LEA test coordinator, it should be conducted in collaboration with the LEA LEP coordinator. The collaboration of the LEA test coordinator and LEA LEP coordinator is necessary because the majority of LEP coordinators have specialized training in working with curricula and students identified as limited English proficient. Communication and cooperation among LEA staff members are vital to ensure that all assessors and related personnel involved in the administration of the State-designated alternate assessment receive appropriate training, staff development, and support. Additional information regarding the State-designated alternate assessment is located in *Section B* of this publication.

## **B. Procedures for Determining a Standard Test Administration, Testing with Accommodations, or Participation in Alternate Assessments**

The following procedures are to be used when determining whether students identified as limited English proficient will (1) be administered State tests under standard conditions (without accommodations), (2) be administered State tests with accommodations, or (3) participate in a State-designated alternate assessment.

### **Initial Screening of Students**

The U.S. Office for Civil Rights as well as North Carolina State Board of Education (SBE) policy HSP-K-000 (16 NCAC 6D.0106) requires that a home language survey (HLS) be administered to all students upon initial enrollment. The home language survey is used to help determine if the student is a language-minority student. If the answer to any question on the home language survey is “other than English,” the student is considered a language-minority student. However, once the home language survey has been completed by the parent/guardian, the school may consult with the parent/guardian to determine if the survey was completed correctly.

If the student is a language-minority student, he or she must be scheduled to be administered all four subtests (listening, speaking, reading, and writing) of the State-identified English language test within thirty (30) calendar days of enrollment and the parent must be notified. In limited cases, if a language-minority student is clearly a fluent English-speaker, the LEA test coordinator and LEP coordinator have the discretion to review the student’s academic record to determine if the administration of the State-identified English language proficiency test is necessary. For example, if the academic records show continuous enrollment in U.S. schools and on or above grade level academic performance, then the LEA test coordinator and the LEP coordinator may recommend to the parent/guardian that the State-identified English language proficiency test not be administered to the student. The parent/guardian must be informed of the purpose of the assessments and that the assessments are required by SBE policy. The test coordinator and LEP coordinator must ensure that the parent/guardian understands (an interpreter must be provided if needed) that if the English language proficiency test is not administered, the student cannot be identified as limited English proficient, the student is not eligible to receive English as a second language (ESL) services or LEP testing accommodations on statewide assessments, and that the student is not eligible to participate in the State-designated alternate assessment unless the student is identified with a disability and has an IEP with appropriate documentation.

If the parent/guardian agrees with the recommendation of the LEA test coordinator and LEP coordinator and does not want the child tested (refuses testing), written documentation of this decision, the rationale for the decision, and the parents’/guardians’ understanding of the consequences of the decision must be placed in the student’s records. If the parent/guardian wants the child tested (does not refuse testing) even though the LEA test coordinator and the LEP coordinator do not believe it is necessary, the State-identified English language test must be administered. The purpose of the SBE policy requiring all language-minority students to be tested on

the State-identified English language proficiency test is to protect the rights of the language-minority students and to ensure that all students who have limited English proficiency are identified using a valid and reliable assessment instrument. The NCDPI reserves the right to audit school systems to ensure that this and all other NCDPI policies are being implemented appropriately.

**Transfer Students** In the event that a student identified as limited English proficient transfers to another North Carolina school system, transfers out of North Carolina, or transfers within a school system, the student’s English language proficiency scores must be transferred with the student’s cumulative record to the new school. The school in which the student enrolls has up to thirty (30) calendar days to obtain initial scores on the State-identified English language proficiency test for testing decisions. If scores are sent, the receiving school must use those scores to determine the student’s limited English proficient status. If scores are not received, the receiving school must administer the State-identified English language proficiency test. The results from the most recent administration of the State-identified English language proficiency test will be used for all decisions related to the student’s LEP identification.

**Notification of Testing** According to APA 16 NCAC 6D .0302, school systems shall, at the beginning of the school year, provide information to students and parents or guardians advising them of the district-wide and State-mandated tests that students will be required to take during the school year, including the State-identified English language proficiency test, if applicable. In addition, school systems shall provide information to students and parents or guardians to advise them of the dates the tests will be administered and how the results of the tests will be used. Also, information provided to parents about the tests shall include whether the State Board of Education or local board of education requires the test. School systems shall report scores resulting from the administration of district-wide and State-mandated tests to students and parents or guardians along with available score interpretation information within thirty (30) days from the generation of the score at the school system level or receipt of the score and interpretive documentation from the NCDPI.

**Parent/Guardian Refusal of State-Identified English Language Proficiency Testing** If a student wishes to not participate in the administration of the State-identified English language proficiency test, the parent/guardian must be notified. If a parent/guardian refuses to allow his or her child to be assessed on the State-identified English language proficiency test, the decision not to participate must be documented. In this case the student may not be identified as limited English proficient. The school must ensure that the parent/guardian and student understand (an interpreter must be provided if needed) that the refusal of English language proficiency testing means refusal of English as a second language (ESL) services, testing accommodations, and participation in the State-designated alternate assessment unless the student is identified with a disability and has an IEP with appropriate documentation.

**Accommodations  
Decision Making  
Team/Committee  
for Students  
Identified as  
Limited English  
Proficient**

A team/committee of individuals consisting of the school principal, ESL teacher, regular education teacher, counselor, and parent/guardian should meet to ensure that appropriate testing decisions are made for the student. *Testing decisions for the use of accommodations must be made on a case-by-case basis.* Addressing one State test at a time allows the team/committee to focus on deciding which accommodations are best in meeting the student’s needs for each assessment.

**All valid test scores (with the exception of the grade 3 pretest) will remain in the student’s permanent record and will be used for student placement decisions into language instruction programs designed for LEP students and school accountability. Non-valid test scores are not to be included in the student’s permanent record, Student Information Management System (SIMS/NCWISE), or data files generated for the purpose of school accountability.**

**Student  
Participation in  
the North  
Carolina Testing  
Program**

After the team/committee responsible for making assessment accommodations for a student identified as limited English proficient has updated documentation regarding the Statewide Student Accountability Standards and local and State promotion and graduation requirements, the team/committee is to discuss the student’s participation in testing. Results from the State-identified language proficiency test will determine the student’s eligibility for testing under one of the following conditions:

- Testing under standard conditions (without accommodations);
- Testing with the use of accommodations; or
- Participating in a State-designated alternate assessment.

**Information/procedures for each of the above options are described throughout the remainder of this document.**

**The NCDPI Division of Accountability Services/North Carolina Testing Program provides interpretive information regarding student performance only for valid North Carolina test results.**

**NOTE: State Board of Education policy HSP-C-021 (16 NCAC 6G .0312) mandates that all language-minority students be assessed using the State-identified language proficiency test. All students identified as LEP (based solely on the State-identified English language proficiency test) must be assessed at initial enrollment and annually during the window of February 1 to April 30.**

**Although the State-identified English language proficiency test is part of the North Carolina Testing Program, accommodations for limited English proficient students are not permissible on this test because the test assesses the student’s ability to understand and use spoken and written English language and assists in determining which accommodations are appropriate for other State tests.**

The following provides a list of the State-mandated tests for the 2005–06 North Carolina Testing Program by grade in which State-designated accommodations can be accessed for students identified as limited English proficient.

Grade 3

1. North Carolina Pretest—Grade 3 (reading comprehension and mathematics)
2. North Carolina End-of-Grade Test in reading comprehension
3. North Carolina End-of-Grade Test in mathematics

Grade 4

1. North Carolina End-of-Grade Test in reading comprehension
2. North Carolina End-of-Grade Test in mathematics
3. North Carolina Writing Assessment
4. NAEP

Grade 5

1. North Carolina End-of-Grade Test in reading comprehension
2. North Carolina End-of-Grade Test in mathematics

Grade 6

1. North Carolina End-of-Grade Test in reading comprehension
2. North Carolina End-of-Grade Test in mathematics

Grade 7

1. North Carolina End-of-Grade Test in reading comprehension
2. North Carolina End-of-Grade Test in mathematics
3. North Carolina Writing Assessment

Grade 8

1. North Carolina On-line Test of Computer Skills (Graduation Requirement)
2. North Carolina End-of-Grade Test in reading comprehension (first opportunity to meet competency graduation standard for reading)
3. North Carolina End-of-Grade Test in mathematics (first opportunity to meet competency graduation standard for mathematics)
4. NAEP

NOTE for Students at Grades 9-12: State Board policy mandates that all students who are language-minority students be assessed using the State-identified language proficiency test upon initial enrollment, which could occur at any grade. Students at grade 9 through 12 may have to be administered the following if they have not met the standard for graduation<sup>1</sup>:

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<sup>1</sup> Students with disabilities may show computer skills proficiency for graduation by meeting the standard for the North Carolina Test of Computer Skills or the Computer Skills Portfolio Assessment Accommodation. Students with disabilities who are following the Occupational Course of Study are to fulfill computer proficiency as specified in the IEP. Students following the Occupational Course of Study are not required to meet the graduation standard for the North Carolina Competency Tests of Reading and Mathematics.

1. North Carolina Test of Computer Skills (Graduation Requirement)
2. North Carolina Competency Test in reading comprehension
3. North Carolina Competency Test in mathematics

Grade 9

North Carolina End-of-Course Tests<sup>2</sup>

Grade 10

1. North Carolina Writing Assessment
2. North Carolina High School Comprehensive Test in Reading Comprehension and Mathematics (if student has not taken English I and/or Algebra I)
3. North Carolina End-of-Course Tests<sup>2</sup>

Grade 11

North Carolina End-of-Course Tests<sup>2</sup>

Grade 12

1. North Carolina End-of-Course Tests<sup>2</sup>
2. NAEP

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<sup>2</sup> North Carolina End-of-Course Tests are administered in ten high school courses: algebra I, algebra II, biology, chemistry, civics and economics, English I, geometry, physical science, physics, and U.S. history. State Board of Education policy HSP-C-003 specifies that students who are enrolled for credit in courses in which end-of-course tests are required shall take the appropriate end-of-course test.

**State Graduation Requirements as Related to the North Carolina Testing Program**

For each test, current information regarding State and local graduation requirements must be discussed before final decisions are made regarding student participation in the North Carolina Testing Program. A copy of the graduation requirements document must be available to those responsible for making decisions about assessment accommodations for students identified as limited English proficient.

*Four Courses of Study, One Diploma*

Effective for ninth graders entering for the first time in 2000–01, the path to a high school diploma was not the one-size-fits-all as it was for their predecessors. In August 1999, the State Board of Education approved the multiple graduation courses of study. The three courses of study are: Career Preparation, College Technical Preparation, and College/University Preparation. A fourth course of study, called the Occupational Course of Study, was made available effective 2000–01 for eligible students with disabilities who have an IEP. Students not meeting these standards may be eligible to receive a Certificate of Achievement or Graduation Certificate. The policy is located in the appendix. Additional information is located at [http://www.ncpublicschools.org/student\\_promotion/gradreq.html](http://www.ncpublicschools.org/student_promotion/gradreq.html).

*Standardized Transcript*

In order to inform parents and students of student progress, beginning with the 1995–96 school year, the State Board of Education adopted the following policy, “a standardized transcript shall be issued to students at the end of each school year” (HSP-N-000). The standardized transcript includes a place to note the course of study that a student is following to complete high school graduation requirements. Therefore, students and parents are able to monitor courses taken toward graduation with each yearly report of the transcript.

*North Carolina Tests and Graduation Requirements for Students Following the Career Preparation, College Technical Preparation, or College/University Preparation Courses of Study.*

All students following the Career Preparation, College Technical Preparation, or College/University Preparation Course of Study must meet the competency standard and the computer skills proficiency requirement to receive a North Carolina high school diploma. In order to have the opportunity to meet these requirements, students participate in test administrations of the (1) competency tests in reading comprehension and mathematics (if the student has not met the standard at the eighth grade with the end-of-grade tests) and (2) computer skills test.

Students in the Career Preparation, College Technical Preparation, or College/University Preparation Course of Study remain eligible for a diploma provided that they meet all other state and local requirements for graduation.

*Test of Computer Skills*

All students who began ninth grade during or after the 1996–97 school year must meet the computer skills proficiency requirement for high school graduation. The student must meet the standard for the computer skills test.

The computer skills test is administered initially at grade eight. If a student does not participate in the computer skills test at grade eight, additional documentation is required.

The parent(s), guardian(s), or surrogate parent(s) must sign a statement indicating that the consequences of not participating (i.e., the student must meet the computer skills proficiency requirement to receive a North Carolina high school diploma) have been fully explained and are understood. **The signed statement shall become a part of the student's permanent educational record.**

The test administration at grade eight is the first opportunity to meet the computer skills proficiency requirement for graduation. The proficiency standard for computer skills tests is a multiple-choice scale score of 47 or above and a performance scale score of 49 or above. Students not meeting the standard at grade eight shall be provided remedial instruction and shall have additional opportunities to meet the proficiency requirement during high school up to and including the last month of the twelfth grade.

**NOTE:** The LEA must notify the student, parent(s), guardian(s), or surrogate parent(s) in writing of the opportunity to reverse the decision before each test administration date as long as the student is enrolled. Until age 21, students may also contact the LEA to seek additional opportunities to retake the test(s) for which they did not meet the standard while in school. The LEA may provide additional opportunities for students to retake the tests after these students reach age 21. Students who exit with a certificate shall be informed during an exit interview of the right to retake the tests in order to receive a high school diploma.

b. Competency Tests

All students who began ninth grade during or after the 1994–95 school year must meet the competency standard for high school graduation. **Meeting the Achievement Level III standard on the eighth grade multiple-choice end-of-grade tests in reading comprehension and mathematics is the first opportunity to meet the competency standard for graduation.**

If the student does not meet the standard with the eighth grade end-of-grade tests, the student must be administered the competency tests for reading/verbal and/or mathematics until the standard has been met. If a student does not participate in the administration of the North Carolina Competency Tests of Reading and Mathematics, additional documentation is required.

In response to House Bill 801, in March 2005, the State Board of Education approved the use of the accommodations which allows assistive technology to read the verbal competency test aloud for students with disabilities. The competency verbal edition is available for ninth, tenth, eleventh, and twelfth grade students who have not previously met the reading or verbal competency

standard and who meet specific eligibility requirements. The mathematics competency standard must still be met through one of the various approved means.

The parent(s), guardian(s), or surrogate parent(s) or student (age 18 or older) must sign a statement indicating that the consequences of not participating (i.e., the student must pass all parts of the competency tests in order to receive a North Carolina high school diploma) have been fully explained and are understood. **The signed statement shall become a part of the student's permanent educational record.**

The competency standard requires performance at or above Achievement Level III in reading and mathematics. Students not meeting the standard at grade eight shall be provided remedial instruction and shall have additional opportunities to meet the proficiency requirement during high school up to and including the last month of the twelfth grade.

**NOTE:** The local school system must notify the student, parent(s), guardian(s), or surrogate parent(s) in writing of the opportunity to reverse the decision before each test administration date as long as the student is enrolled. Until age 21, students may also contact the LEA to seek additional opportunities to retake the test(s) for which they did not meet the standard while in school. The school system may provide additional opportunities for students to retake the tests after these students reach age 21. Students who exit with a certificate shall be informed during an exit interview of the right to retake the tests in order to receive a high school diploma.

### North Carolina- Developed Field Tests

Students identified as limited English proficient who are administered a North Carolina-developed field test are to participate (under standard conditions or with accommodations), to the same extent possible, as the LEP documentation describes student participation for the operational North Carolina test (e.g., a sixth-grade student who is to receive approved accommodations for the operational end-of-grade mathematics test receives the same accommodations for an end-of-grade mathematics field test). For a current list of field tests, which is updated annually, contact the LEA test coordinator or visit <http://www.ncpublicschools.org/accountability/>.

Each school year, the NCDPI Division of Accountability Services/North Carolina Testing Program publishes information regarding the current testing program. The updated North Carolina Testing Program publications can be obtained by visiting the NCDPI Division of Accountability Services/North Carolina Testing Program Web site at <http://www.ncpublicschools.com/accountability/>.

In the event that the team/committee of school-based individuals responsible for making decisions about assessment accommodations addresses procedures not specified in this document, the team/committee is to contact the LEA test coordinator and the LEA LEP coordinator for clarity prior to documenting a final decision. The LEA test coordinator can provide the team/committee with information regarding the

potential impact of the decision in regard to test validity and test security (e.g., test scheduling) in addition to mandates such as the federal *No Child Left Behind* legislation, the North Carolina Administrative Procedures Act, State Board of Education policies, and the *Testing Code of Ethics*.

**NOTE:** The State Board of Education determines standards for all North Carolina tests. Individuals responsible for making decisions about assessment accommodations for students identified as limited English proficient are not permitted to revise the standards established by the State Board of Education in order to meet the unique needs of a student.

**Statewide Student Accountability Standards as Related to the North Carolina Testing Program**

Current information regarding the Statewide Student Accountability Standards must be discussed before final decisions are made regarding student participation in the North Carolina Testing Program. **Those responsible for making decisions about assessment accommodations for students identified as limited English proficient must also be fully informed at the meeting about local promotion requirements.**

The North Carolina Statewide Student Accountability Standards for limited English proficient students must be reviewed for students at grades 3, 5, and 8. Additional information is located at [http://www.ncpublicschools.org/student\\_promotion/](http://www.ncpublicschools.org/student_promotion/).

**Testing Under Standard Conditions**

To the extent possible, and when appropriate, students identified as limited English proficient should be administered State tests under standard conditions.

**Procedures for the Discussion of Testing with Accommodations**

Testing accommodations are child-specific. The team/committee of school-based individuals that makes decisions regarding assessment accommodations determine which accommodations are appropriate for each assessment based on the individual student. The accommodations that are to be used during regular classroom instruction and assessments are to be discussed, finalized, and documented in the current LEP documentation prior to the discussion and documentation of accommodations that are to be used during a State-mandated test administration.

**Accommodations for North Carolina-Developed Tests**

In order to discuss accommodations for North Carolina-developed tests in the North Carolina Testing Program, each member of the team/committee of school-based individuals responsible for making assessment accommodation decisions is to have access to the accommodation information located in *Section C: Testing Accommodations—Descriptions and Procedures* so that specific procedures for a test administration can be discussed, determined, and documented. The team/committee is to discuss specific procedures located in Section C prior to the final decision to avoid any anomalies and misadministrations. The team/committee has the responsibility of specifying information, to the greatest extent possible. For example, the team/committee is to address (a) the number of sessions when using the Multiple Testing Sessions accommodation, (b) the approximate amount of extra time to be given when using the Scheduled Extended Time accommodation, and (c) whether the test administrator reads aloud all words or only words requested by the student when

using the Test Administrator Reads Test Aloud accommodation for tests that do not measure reading comprehension. This information guides the LEA test coordinator and the test administrator when providing accommodations to students during the actual test administration.

The following accommodations approved for use by the NCDPI Division of Accountability Services/North Carolina Testing Program will result in valid test scores (procedures specified in this publication) for North Carolina- developed tests:

- English/Native Language Dictionary or Electronic Translator
- Multiple Testing Sessions
- Scheduled Extended Time
- Student Reads Test Aloud to Self
- Test Administrator Reads Test Aloud in English (not for Reading Comprehension - The use of this accommodation during a State test that measures reading comprehension invalidates the results of the test.)
- Testing in a Separate Room (includes individual or small group administration, study carrel, etc.)

**NOTE:** Tests in the North Carolina Testing Program that measure reading comprehension include the: (a) reading comprehension part of the grade 3 pretest, (b) end-of-grade reading comprehension test, (c) competency reading comprehension test, (d) end-of-course English I test, and (e) reading comprehension part of the high school comprehensive test.

**More Than One  
Testing  
Accommodation**

A student may have approval for more than one accommodation due to his or her individual needs.

**Notifying Students  
about Testing  
Accommodations**

Notifying students prior to the actual test administration date about the accommodations he or she will use allows the student to know what to expect in advance of testing. For example, if the student is to use the accommodation Test Administrator Reads Test Aloud during the administration of a mathematics test, the individuals who make decisions regarding assessment accommodations may have agreed and documented that the test administrator is only to read aloud words requested by the student. On the other hand, it may have been specified that the test administrator is to read all words aloud to the student. Knowing such details beforehand assists the student in preparing for the test administration.

Notifying the student ahead of time gives school personnel the opportunity to address any student concerns prior to the actual test administration date. For example, when the student is notified about the accommodation before the test date, the student may state that he or she will not use the accommodation that is documented for him or her. This prior knowledge allows the school time to work with the student to resolve the issue beforehand.

**Documentation of Testing Accommodations** A team/committee of school-based individuals determines if testing with accommodations is appropriate, and current documentation must exist in order to substantiate the use of accommodations. The documented accommodations must be used routinely during (a) classroom instruction and (b) similar classroom assessments that measure the same construct.

Additional information regarding the use of accommodations for North Carolina tests is located in *Section C* of this publication.

**Testing Guidelines for LEP Students Who Participate in the State-Designated Alternate Assessment** State Board of Education policy allows students identified as limited English proficient who have been assessed on the State-identified English language proficiency test as below Intermediate High in reading to participate in the State-designated alternate assessment for up to 2 years (24 months) after initial enrollment in U.S. schools in the areas of reading and mathematics at grades 3–8 and 10, and for high school courses that an end-of-course test is administered.

Students identified as limited English proficient who have been assessed on the State-identified English language proficiency test as below Superior in writing may participate in the State-designated alternate assessment in writing for grades 4, 7, and 10 for up to 2 years (24 months) after initial enrollment in U.S. schools.

Students identified as limited English proficient who will reach their 24-calendar month deadline prior to the administration of a State content test (e.g., end-of-grade, high school comprehensive, writing, and end-of-course) should not participate in the State-designated alternate assessment because they will be required to take the content test due to the deadline. An exception may be made for a third grade student identified as limited English proficient who may participate in the reading and/or mathematics State-designated alternate assessment for grade 3 in lieu of taking the multiple-choice North Carolina Pretest–Grade 3 administered during the first three weeks of school.

If, during the annual State-identified English language proficiency test, a student identified as limited English proficient scores Intermediate High on the reading section of the test, the student will participate in the next State-mandated content assessment (e.g., end-of-grade, high school comprehensive, and end-of-course) with the exception of writing. If, during the annual State-identified English language proficiency assessment, a student identified as limited English proficient scores Superior on the writing section of the test, the student will participate in the next State-mandated content assessment for writing. If the student participated in an State-designated alternate assessment during the school year and obtains scores as stated above during the annual State-identified English language proficiency assessment, the student’s designated alternate assessment is deemed incomplete and the student participates in the next State-mandated content assessment. If the student scores Superior in all four subtests of the State-identified English language proficiency test, the student must participate in the State assessment without the use of LEP accommodations. If the State-mandated content assessment was administered prior to the annual State-identified English language proficiency assessment, such as the

writing assessment at grades 4, 7, and 10, the State-designated alternate assessment is continued through the end of the year.

**Accommodations  
for the National  
Assessment of  
Educational  
Progress (NAEP)  
at Grades 4, 8,  
and 12**

Background Information about NAEP. The National Assessment of Educational Progress, also known as “the Nation’s Report Card,” is authorized by Congress and administered by the National Center for Education Statistics (NCES) of the U.S. Department of Education. NAEP is the only nationally representative and continuing assessment of what America’s students know and can do in various subject areas. The National Assessment Governing Board (NAGB) sets policy for NAEP and is responsible for developing the frameworks and test specifications that serve as the blueprint for the assessments.

In accordance with the *No Child Left Behind* legislation, signed by President George W. Bush on January 8, 2002, NAEP administrations in reading and mathematics (beginning in 2003) are required at grades 4 and 8 every other year in all states. In North Carolina, State Board of Education policy HSP-A-001 (16 NCAC 6D.0302) requires that all selected schools participate in NAEP; however, at the student level, participation in the NAEP is voluntary. *No Child Left Behind* allows students or parents to refuse to participate.

For each NAEP administration, a sample of students is drawn from both public and non-public schools at grades 4, 8, and 12 for participation (*No Child Left Behind* requires reading and mathematics assessments at grade 12 on a nationally representative basis at least as often as done in the past or every four years). In September, NCES notifies the NCDPI which schools have been selected for participation. The NCDPI notifies the districts; student selection from the participating schools is completed by December.

The results for NAEP are reported in the aggregate for large groups; no student or school-level data are reported. Included in the reports are statistical information about student performance and factors related to educational performance for the nation and specific subgroups of the population. To ensure the data have integrity and are complete, every effort must be made to include each selected student in the NAEP assessment. Given there are no consequences for individual students or individual schools, the NCDPI recommends that a student’s LEP documentation include accommodations to be used during the administration of NAEP in the event that the student’s school is randomly selected to participate in the NAEP tests. This allows students identified as limited English proficient to use accommodations approved by the test publisher, NCES, during the administration of a NAEP test. Accommodations for students identified as limited English proficient are determined on a case-by-case basis.

Procedure for determining if accommodations are needed on NAEP.

Step 1. The LEP team/committee determines if the student may be administered a NAEP test at the assigned grade by viewing the Schedule for the State and National Assessment of Educational Progress located on the following page. If a NAEP test is not scheduled to be administered at the student’s assigned grade, the LEP Team/committee is not to address NAEP in the LEP documentation. If a NAEP test

is scheduled to be administered at the student's assigned grade level, the LEP Team/committee continues with Step 2 below.

Step 2. The LEP team/committee reviews the Background Information for NAEP located above.

Step 3. The LEP team/committee first determines if the student should be administered the NAEP test under standard conditions (i.e., without accommodations). If the team/committee determines that the student should use accommodations during the administration of the NAEP test, the LEP team/committee is to review the NAEP accommodation information that begins on the following page. General information about accommodations can be found in *Section C: Testing Accommodations–Descriptions and Procedures*. The team/committee is to contact the LEA test coordinator if additional information is needed.

**Schedule for the State and National Assessments of Educational Progress**

<b>Year</b>	<b>National</b>	<b>State</b>	<b>Long-Term Trend</b>
<b>2004</b>	foreign language (12) <sup>3</sup> (postponed)		reading mathematics
<b>2005</b>	reading mathematics <sup>1</sup> science	reading (4, 8) mathematics (4, 8) <sup>1</sup> science (4, 8)	
<b>2006</b>	U.S. history economics (12) <sup>1</sup> civics		
<b>2007</b>	reading (4, 8) mathematics (4, 8) writing (8, 12)	reading (4, 8) mathematics (4, 8) writing (8)	
<b>2008</b>	arts (8) <sup>2</sup>		reading mathematics
<b>2009</b>	reading <sup>1</sup> mathematics science <sup>1</sup>	reading (4, 8) <sup>1</sup> mathematics (4, 8) science (4, 8) <sup>1</sup>	
<b>2010</b>	world history (12) <sup>1</sup> geography <sup>2</sup>		
<b>2011</b>	reading (4, 8) mathematics (4, 8) writing <sup>2</sup>	reading (4, 8) mathematics (4, 8) writing (4, 8) <sup>2</sup>	
<b>2012</b>	civics <sup>2</sup> foreign language		reading mathematics

<sup>1</sup> Updated or new framework is planned for implementation for this subject. Framework for foreign language approved by Governing Board May 2000; updates to mathematics framework approved November 2001; economics framework approved August 2002.

<sup>2</sup> NAGB will decide whether a new or updated framework is needed for this year.

<sup>3</sup> The National Assessment Governing Board postponed the foreign-language assessment at their March 6, 2004, meeting.

For the most current schedule of the NAEP assessments, please visit the Nation's Report Card Web site at <http://nces.ed.gov/nationsreportcard/about/assessmentsched.asp>.

## C. Testing Accommodations—Descriptions and Procedures

This section provides a list of State-approved testing accommodations and information describing typical accommodations accessed by students identified as limited English proficient during the administration of State-mandated tests in the North Carolina Testing Program at grades 3–12. When accommodations are provided in accordance with the procedures in this section and proper test administration procedures, results from the tests are deemed to be valid. **Special arrangements or accommodations must never be used for score enhancement.** Test administrators are to recognize that when administering State tests using accommodations located in this publication (including errata sheets), the testing procedures for accommodations described in this publication take precedence over the testing procedures for accommodations described in the test administrator’s manuals.

In determining appropriate testing accommodations, a fundamental principle is to follow the type of instructional accommodations used in the classroom. Accommodations that are not routinely used during the instructional day and during classroom testing are not appropriate during State-mandated testing. A good guideline is “test the way you teach.” For example, students who routinely need extended time for classroom assignments and tests would probably need extended time for State-mandated tests. Students may receive multiple test accommodations if appropriate. The use of accommodations should be consistent with those used during classroom instruction. All accommodations for State-mandated tests must be documented.\*

When a student identified as limited English proficient reaches the proficiency level of Superior on all four subtests of the State-identified English language proficiency tests, the student is no longer eligible to receive testing accommodations on State-mandated tests. To aid in this process the team/committee that makes decisions for the student identified as limited English proficient must use their best professional judgment in preparing the student for the next scheduled State-mandated test administration without accommodations.

### Description

#### All school system personnel should be aware of the following:

1. All test administrators who provide accommodations must be trained prior to the test date in the (a) appropriate use of accommodations, (b) appropriate procedures for accommodations, and (c) the *Testing Code of Ethics* (located in this publication), including test security and sanctions;
2. Proctors are required during administrations of all State tests regardless of the number of students tested with the exception of the IPT Oral/Speaking test administration. Test administrators may require special assistance when providing accommodations;
3. A student may have approval for more than one accommodation. In addition, the accommodation may only apply to one part of the test (e.g., reading comprehension or mathematics);
4. Every attempt should be made to relieve test anxiety. Students should be provided with the following information before the test date: (1) room location, (2) identity of the test administrator/proctor (if known), and (3) the testing

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\* The local school system will designate the manner in which each school should provide documentation for accommodations for limited English proficient students.

- accommodation(s) and appropriate procedures;
5. If appropriate, a small group of students in the same grade or course at a school using the same accommodation in one testing site may use the same form of the test (e.g., students using the Test Administrator Reads Test Aloud in English accommodation in one testing site may use the same form of the test);
  6. Test security must be maintained at all times.

### **Testing Accommodations**

The only accommodations approved by the NCDPI Division of Accountability Services/North Carolina Testing Program for use on the tests are located in this section. The North Carolina Testing Program allows the following procedural accommodations for the 2005–06 school year for certain limited English proficient students and certain tests:

- English/Native Language Dictionary or English/Native Language Electronic Translator
- Multiple Testing Sessions
- Scheduled Extended Time
- Student Reads Test Aloud to Self
- Test Administrator Reads Test Aloud in English
- Testing in a Separate Room

School system and charter school testing personnel must follow and implement any changes or updates to North Carolina State Board of Education policy, legislation, or General Statutes.

#### **English/Native Language Dictionary or Electronic Translator**

*Due to their level of language proficiency, some limited English proficient students use an English/native language dictionary or an English/native language electronic translator during classroom instruction and tests. This accommodation is allowed for all State-mandated tests with the exception of the State-mandated English language proficiency tests. The use of testing accommodations should be consistent with those accommodations used **on a regular basis** during instruction and classroom tests. An English/native language dictionary or an English/native language electronic translator may be used for these students during State-mandated testing provided the following requirements have been met:*

1. *The dictionary or translator is a **word-to-word** or **word-to-phrase** English/native language dictionary or electronic translator that **does not** contain definitions. *Word-to-phrase* means that the English word may translate into a group of words in the student's native language.*
2. *The dictionary may not contain diagrams, written notes, formulas, etc.*
3. *The dictionary must be a published document, not a teacher-made or student-made dictionary.*
4. *The dictionary or electronic translator has been approved by designated personnel in the school system.*<sup>\*\*</sup>

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<sup>\*\*</sup> The approval of the designated school official means that the dictionary or electronic translator meets all of the specifications and may be used during State-mandated testing.

<b>Description</b>	English/native language dictionaries or English/native language electronic translators may be used to assist the limited English proficient student to translate an unknown word. It is recommended that students be able to read and write in their native language in order to have access to this accommodation. NCDPI does not compile a recommended list of dictionaries/electronic translators to be used for this testing accommodation.
<b>Considerations and Instructions</b>	<p><u>Caution:</u> Due to the limited database, the electronic translator may give inappropriate language-to-language translations. Use of a dictionary or electronic translator that is not approved may result in a misadministration.</p> <p>Because the purpose of providing an English/native language dictionary is to decrease the language barrier, it is inappropriate to provide a regular English dictionary because it does not provide translations. Use of an English dictionary during State-mandated testing results in a misadministration.</p>
<b>Collection, Storage, and Processing of Test Materials</b>	The test administrator must follow the regular procedures for processing the test materials unless English/native language dictionary or English/native language electronic translator is used in conjunction with another accommodation that requires special storage and processing.

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### Multiple Testing Sessions

*All North Carolina tests are aligned with the Standard Course of Study and are designed so that most students will have enough time to finish the tests. Due to their level of language proficiency, some limited English proficient students need to use much greater concentration for longer periods of time during testing. This accommodation is allowed for all State-mandated tests with the exception of the State-mandated English language proficiency tests. The use of testing accommodations should be consistent with those accommodations used during instruction and classroom tests.*

<b>Description</b>	<p>A multiple testing session accommodation provides the student with the opportunity to take a State-mandated test over several sessions. The sessions may be extended over several days. Every effort should be made to complete the test administration as close to the school's test schedule as possible in order to maintain test security. Scheduling multiple test sessions should take into consideration the test schedule to ensure reasonable time for processing, shipping, and scoring.</p> <p>When reading the instructions from the regular test administration manual, the test administrator should omit any information regarding time limits. Otherwise, the standard instructions located in the manual should be followed.</p> <p>It is recommended that the accommodation be provided only to students who score below Intermediate High on the State-mandated English language proficiency test.</p> <p>This accommodation can be provided several ways. The final decision should be based on the specific needs of the student. For example:</p>
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- It may be appropriate for the student to begin the test on the scheduled date and to complete the test on the makeup day.
- Another alternative is to test the student for a specified time period (e.g., twenty minutes), allow the student to take a break (e.g., eight minutes), test again for a specified time period, etc. Test security must be maintained at all times.
- An additional alternative is to test the student in two sessions over two days, testing for a specified time limit as determined in the student’s LEP documentation. For example: the student would complete half the test on the first day of testing and half the test on the second day of testing.

Students should not be allowed to review questions from a previous session or questions for a future session. Paper clips may be used to secure those pages already completed or planned for future sessions. Students must be reminded that they are not permitted to return to test questions at the next session.

**Collection,  
Storage, and  
Processing of  
Test Materials**

The test administrator must follow the regular procedures for processing the test materials unless *Multiple Testing Sessions* is used in conjunction with another accommodation that requires special storage and processing.

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**Scheduled Extended Time**

*All North Carolina tests are aligned with the Standard Course of Study and are designed so that most students will have enough time to finish the tests. Due to their level of language proficiency, some limited English proficient students need much greater concentration for longer periods of time for testing. This accommodation is allowed for all State-mandated tests with the exception of the State-mandated English language proficiency tests. The use of testing accommodations should be consistent with those accommodations used during instruction and classroom tests.*

**Description**

The schools may determine that students who are identified as limited English proficient need additional time to complete their test beyond that recommended in the test administrator’s manual. The amount of extended time must be reasonable and specified for each test in the student’s current LEP documentation.

**Considerations  
and Instructions**

Any extension of time should occur at the end of, or immediately following, the planned testing session during the scheduled test day. Special arrangements may be needed prior to the test administration to accommodate extensions to the usual testing schedule.

Test administrators will need to work with their test coordinator to determine whether the student should be tested in the same room for the whole testing session or whether the student should be tested with his or her regular classmates, then moved to a different setting.

When reading the instructions from the regular test administrator’s manual, the test administrator should omit information regarding time limits.

**Collection,  
Storage, and  
Processing of  
Test Materials**

The test administrator must follow the regular procedures for processing the test materials unless Scheduled Extended Time is used in conjunction with another accommodation that requires special storage and processing.

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**Student Reads Test Aloud to Self**

*Due to their level of language proficiency, some limited English proficient students need to read printed tests and classroom materials aloud to themselves. This accommodation is allowed for all State-mandated tests with the exception of the State-mandated English language proficiency tests. The use of testing accommodations should be consistent with those accommodations used during instruction and classroom tests.*

**Description**

This accommodation permits the student to read the test aloud to him or herself during the test administration. As with all accommodations for North Carolina tests, (1) the use must be documented in the student's current LEP documentation, and (2) the accommodation must be routinely used during classroom instruction and similar classroom assessments.

**Considerations  
and Instructions**

If a student requires the Student Reads Test Aloud to Self accommodation, he or she must also receive the Testing in a Separate Room (one-on-one test administration) accommodation. There must not be any other students in the room.

A test administrator or proctor may not correct the student as he or she reads aloud or reads all or any part of the test to the student unless the student also has the Test Administrator Reads the Test Aloud accommodation. If the test administrator or proctor corrects or reads all or any part of a test that measures reading comprehension to the student, the test results are invalid.

**Collection,  
Storage, and  
Processing of  
Test Materials**

The test administrator must follow the regular procedures for processing the test materials unless this accommodation is used in conjunction with another accommodation that requires special storage and processing.

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**Test Administrator Reads Test Aloud in English (not for tests of reading comprehension)**

*Due to their level of language proficiency, some limited English proficient students need printed tests and classroom materials read aloud to them in English. This accommodation is allowed for all State-mandated tests with the exception of the State-mandated English language proficiency tests. The use of testing accommodations should be consistent with those accommodations used during instruction and classroom tests.*

*If the Test Administrator Reads Test Aloud accommodation is used during the administration of North Carolina tests that measure reading comprehension (selections, frames, test questions, or answer choices are read aloud to the student), the test results are invalid.*

**Description** This accommodation permits the test administrator to read aloud in English test directions and content to a student during the test administration (for State tests that do not measure reading comprehension). The test administrator may read these sections as many times as necessary for the student to comprehend the questions. At no time may the test administrator paraphrase or translate the test instructions or items.

It is recommended that this accommodation be provided only to students who score below the Advanced proficiency level on the State-mandated English language proficiency test.

**Considerations and Instructions** The test administrator should review the regular test administration procedures in the manual prior to the test administration day and omit general directions that are not applicable for this accommodation. Test administrators may read any student survey and sample questions aloud to the students and fill in the bubbles to indicate responses. These survey and sample questions must be read in English.

The test administrator should have a copy of the test in order to read the instructions and questions to the students.

Students in the same read-aloud group must have the same test form. The school test coordinator should notify the LEA test coordinator several months in advance of testing that the same form is to be administered to a group of students so that the LEA test coordinator can order the appropriate number of materials.

*The test administrator should repeat the instructions and test questions (except for reading comprehension test items) as many times as necessary for the students to understand and respond. Since it is documented that the student is to receive this accommodation, the test administrator should read aloud all test items and choices (except for reading comprehension test items).*

The team/committee of individuals that determines the students LEP accommodations must specify the extent to which the student should receive the read aloud accommodation during a State-mandated test administration (for State tests that do not measure reading comprehension). Test administrators should also read the sample questions aloud.

When reading aloud the test, the test administrator must adhere to the following guidelines:

- When reading the entire test aloud, the test administrator must read one test item, its corresponding answer choices, and then allow students to choose an answer before moving on to the next item.
- The test administrator must read each test item and answer choices in a consistent manner so as to not provide any hints of the correct answer.
- If asked to read a test item on request, the test administrator must say the item number before reading the item and its answer choices.

- For word(s) located on a map, table, graph, chart, computer screen, etc., the test administrator may either (a) read all words to the student at one time or (b) inform the student that the information can be read aloud upon the student's request.

It is recommended that the student also receive the Testing in a Separate Room accommodation (one-on-one or small group test administration).

**Frames.** The 1–4 sentence “directions” located before selections printed in test books of the (1) grade 3 pretest—reading comprehension, (2) end-of-grade test—reading comprehension, (3) reading comprehension section of the high school comprehensive test, and (4) competency test of reading are referred to as “frames.” In the event that the test administrator reads aloud frames to students during the administration of North Carolina tests that measure reading comprehension, the test results are invalid because the frames provide some information regarding the selection.

**Mathematics Tests.** A decision must be made and documented in the students LEP documentation prior to the test administration as to whether numbers in the mathematics tests will be read aloud. This decision should be based on individual student needs. The test administrator is to read aloud fractions, greater/less than signs, equal signs, exponents, etc. in the same manner they are read aloud when used routinely during classroom instruction and similar classroom assessments. The test administrator is not to read aloud information that would provide the student with the answer. For example, a test question asks: Which digit is in the hundreds place in the number 2,345? The test administrator would read the number aloud as “two—comma—three—four—five” instead of “two thousand three hundred forty-five.”

**Collection,  
Storage, and  
Processing of  
Test Materials**

The test administrator must follow the regular procedures for processing the test materials unless Test Administrator Reads Test Aloud in English is used in conjunction with another accommodation that requires special storage and processing.

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**Testing in a Separate Room (Separate Setting)**  
*(One-on-One or Small Group Test Administration)*

*Due to their level of language proficiency, some limited English proficient students need to use much greater concentration for longer periods of time for testing. This may require that they be tested in a different (separate) setting. This accommodation is allowed for all State-mandated tests with the exception of the State-mandated English language proficiency tests. The use of testing accommodations should be consistent with those accommodations used during instruction and classroom tests.*

**Description** Every student must be provided with a quiet, well-lit area in which to take tests. In some cases, students may need to be tested separately. This accommodation provides the student with the opportunity to be tested in a smaller group.

- Considerations and Instructions** The school test coordinator should assist in locating a separate room/setting for testing. The test should be administered as stated in the regular test administration manual unless other accommodations that require modified procedures are used. An attempt should be made to test the student in an area that is familiar to the student.
- Collection, Storage, and Processing of Test Materials** The test administrator must follow the regular procedures for processing the test materials unless Testing in a Separate Room is used in conjunction with another accommodation that requires special storage and processing.

## **APPENDIX**

- A. Home (Primary) Language Survey
- B. English Proficiency Level Descriptions
- C. *Testing Code of Ethics*
- D. North Carolina State Board of Education Policies  
(as referenced in the document)

## Appendix A: Home Language Survey

The U.S. Office for Civil Rights as well as North Carolina State Board of Education policy HSP-K-000 (16 NCAC 6D.0106) requires that a home (primary) language survey (HLS) be administered to all students upon initial enrollment. The home language survey is used to help determine if the student is a language-minority student. If the answer to any question on the home language survey is “other than English,” student is considered a language-minority student. The home language survey is the screening tool used to determine if a student is a language-minority student. It is the responsibility of the principal to make sure that a home language survey be administered to all students K-12 regardless of the language spoken, at the time the student is registered or is enrolled in school. The home language survey should include the following questions as they relate to the student's language:

1. What is the first language you (the student) learned to speak?
2. What language do you (the student) speak most often?
3. What language is most often spoken in your home?
4. Besides languages studied in school, do you (the student) speak any language(s) other than English? If yes, which language(s)?

Completed copies of the survey are to be filed in every student's cumulative record. Since in some cases the student's parent(s) may have limited proficiency in English, it may be best to administer this survey in person in order to ensure that the parent understands the questions.

**If the answer to all four questions on the home (primary) language survey is English, the student should be considered English language proficient and no further action is needed. The survey should be filed in the student's cumulative record.**

**If the answer to any one of the questions is a language other than English, the student should be considered to be a language-minority student and should be tested with the State-identified English language proficiency test.**

Please refer to *Section B: Initial Screening of Students* in this document for further information regarding the home language survey (HLS).

### Appendix B: English Proficiency Level Descriptions

<b>English Proficiency Levels</b>	<b>Novice Low</b>	<b>Novice High</b>	<b>Intermediate Low</b>
<b>Listening</b>	No functional ability in understanding spoken English	Understands simple questions and statements on familiar topics if spoken very slowly and distinctly; often requires restatement in graphic terms.	Understands most questions, statements, and conversations on familiar topics spoken distinctly at normal speed; requires occasional restatement.
<b>Speaking</b>	No functional ability in speaking English	Able to satisfy routine daily speaking needs. Can ask and answer questions on very familiar topics. Speaking vocabulary is inadequate to express anything but the most elementary needs. Should be able to follow simple classroom directions.	Can handle with confidence but not facility most daily speaking situations. Can handle limited scholastic language requirements; will need help for most tasks. Limited vocabulary often reduces the students to verbal groping or momentary silence.
<b>Writing</b>	No functional ability in writing English	Able to copy isolated words or short phrases. Can write simple, memorized material with frequent misspellings and inaccuracies.	Sufficient control of writing system to meet some survival needs. Able to compose short paragraphs or take simple notes on very familiar topics grounded in personal experience. Evidence of good control of basic sentence construction and inflections such as subject/verb agreement; and straightforward syntactic constructions in present, past, and future time though errors occasionally occur.
<b>Reading</b>	No functional ability in reading English	Reads and understands simple narrative and descriptive text. Vocabulary for comprehension is limited to simple elementary needs such as names, addresses, dates, short informative signs (e.g., street signs, no smoking, exit). Material understood rarely exceeds a single phrase and comprehension requires rereading and checking. Can recognize all letters in the alphabet. Detail is overlooked or misunderstood.	Sufficient comprehension to understand simple material. Can read messages, greetings, popular advertising, letters and invitations. Can guess at unfamiliar vocabulary if highly contextualized. Understands short discourse on familiar topics. Misinterpretation still occurs with more complex material. May have to read material several times.

<b>English Proficiency Levels</b>	<b>Intermediate High</b>	<b>Advanced</b>	<b>Superior</b>
<b>Listening</b>	Understands most informal questions, statements, and conversations at normal speed; comprehends lectures on familiar subjects with some difficulty.	Understands most conversations and most lectures on familiar subjects at normal speed.	Understands academic topical conversations and most lectures with no difficulty.
<b>Speaking</b>	Participates effectively sometimes hesitatingly in social and academic conversations; makes occasional errors in idiom and structure, often obscuring meaning.	Able to speak the language in most situations. Comprehension is quite complete for a normal rate of speech. Makes occasional errors in idiom and structure which obscures meaning.	Able to use the language fluently on all levels normal to school-related needs. Can understand and participate in almost any conversation within the range of experience with a high degree of fluency.
<b>Writing</b>	Sufficient control of writing system to meet most survival needs. Can take notes in some detail on familiar topics and respond to personal questions using elementary vocabulary and common structures. Can express rather accurately present and future time. Can produce some past verb forms, but not always accurately or with correct usage.	Can write simple social correspondence, take notes, write summaries, and describe with factual topics. Still makes common errors in spelling and punctuation but shows some control of the most common conventions. Able to join sentences in limited discourse, but has difficulty in producing complex sentences. Paragraphs are reasonably unified and coherent.	Able to use the written language effectively in most exchanges. Can write short papers and express statements of position, points of view, and arguments. Good control of structure, spelling, and vocabulary. Can use complex and compound sentence structures to express ideas clearly and coherently. Still has problem tailoring writing to a variety of audiences and styles.
<b>Reading</b>	Able to read simple printed material within a familiar context. Can read uncomplicated prose on familiar subjects in frequently used sentence patterns. Some misunderstandings. Able to read the facts but cannot draw inferences.	Sufficient comprehension to understand most factual information in non-technical prose as well as some discussions on concrete topics related to special interests. Able to read for information and description, to follow sequence of events, and to react to that information. Able to separate main ideas from lesser ones and to use that division to advance understanding. Can locate and interpret main ideas and details in material written for the general public.	Able to read standard newspaper items addressed to the general reader, routine correspondence reports, and technical material in a field of interest at a normal rate of speed. Can gain new knowledge from material on unfamiliar topics in areas of a general nature. Can interpret hypotheses, supported opinions, and conjectures. Able to read between the lines. May be unable to appreciate nuance or style.

## Appendix C: Testing Code of Ethics

# Testing Code of Ethics

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### Introduction

In North Carolina, standardized testing is an integral part of the educational experience of all students. When properly administered and interpreted, test results provide an independent, uniform source of reliable and valid information, which enables:

- *students* to know the extent to which they have mastered expected knowledge and skills and how they compare to others;
- *parents* to know if their children are acquiring the knowledge and skills needed to succeed in a highly competitive job market;
- *teachers* to know if their students have mastered grade-level knowledge and skills in the curriculum and, if not, what weaknesses need to be addressed;
- *community leaders and lawmakers* to know if students in North Carolina schools are improving their performance over time and how the students compare with students from other states or the nation; and
- *citizens* to assess the performance of the public schools.

Testing should be conducted in a fair and ethical manner, which includes:

#### *Security*

- assuring adequate security of the testing materials before, during, and after testing and during scoring
- assuring student confidentiality

#### *Preparation*

- teaching the tested curriculum and test-preparation skills
- training staff in appropriate testing practices and procedures
- providing an appropriate atmosphere

#### *Administration*

- developing a local policy for the implementation of fair and ethical testing practices and for resolving questions concerning those practices
- assuring that all students who should be tested are tested
- utilizing tests which are developmentally appropriate
- utilizing tests only for the purposes for which they were designed

#### *Scoring, Analysis and Reporting*

- interpreting test results to the appropriate audience
- providing adequate data analyses to guide curriculum implementation and improvement

Because standardized tests provide only one valuable piece of information, such information should be used in conjunction with all other available information known about a student to assist in improving student learning. The administration of tests required by applicable statutes and the use of student data for personnel/program decisions shall comply with the *Testing Code of Ethics* (16 NCAC 6D .0306), which is printed on the next three pages.

16 NCAC 6D .0306

### **.0306 TESTING CODE OF ETHICS**

- (a) This Rule shall apply to all public school employees who are involved in the state testing program.
- (b) The superintendent or superintendent's designee shall develop local policies and procedures to ensure maximum test security in coordination with the policies and procedures developed by the test publisher. The principal shall ensure test security within the school building.
  - (1) The principal shall store test materials in a secure, locked area. The principal shall allow test materials to be distributed immediately prior to the test administration. Before each test administration, the building level test coordinator shall accurately count and distribute test materials. Immediately after each test administration, the building level test coordinator shall collect, count, and return all test materials to the secure, locked storage area.
  - (2) "Access" to test materials by school personnel means handling the materials but does not include reviewing tests or analyzing test items. The superintendent or superintendent's designee shall designate the personnel who are authorized to have access to test materials.
  - (3) Persons who have access to secure test materials shall not use those materials for personal gain.
  - (4) No person may copy, reproduce, or paraphrase in any manner or for any reason the test materials without the express written consent of the test publisher.
  - (5) The superintendent or superintendent's designee shall instruct personnel who are responsible for the testing program in testing administration procedures. This instruction shall include test administrations that require procedural modifications and shall emphasize the need to follow the directions outlined by the test publisher.
  - (6) Any person who learns of any breach of security, loss of materials, failure to account for materials, or any other deviation from required security procedures shall immediately report that information to the principal, building level test coordinator, school system test coordinator, and state level test coordinator.
- (c) Preparation for testing.
  - (1) The superintendent shall ensure that school system test coordinators:
    - (A) secure necessary materials;
    - (B) plan and implement training for building level test coordinators, test administrators, and proctors;
    - (C) ensure that each building level test coordinator and test administrator is trained in the implementation of procedural modifications used during test administrations; and
    - (D) in conjunction with program administrators, ensure that the need for test modifications is documented and that modifications are limited to the specific need.
  - (2) The principal shall ensure that the building level test coordinators:
    - (A) maintain test security and accountability of test materials;
    - (B) identify and train personnel, proctors, and backup personnel for test administrations; and
    - (C) encourage a positive atmosphere for testing.
  - (3) Test administrators shall be school personnel who have professional training in education and the state testing program.
  - (4) Teachers shall provide instruction that meets or exceeds the standard course of study to meet the needs of the specific students in the class. Teachers may help students improve test-taking skills by:
    - (A) helping students become familiar with test formats using curricular content;
    - (B) teaching students test-taking strategies and providing practice sessions;
    - (C) helping students learn ways of preparing to take tests; and
    - (D) using resource materials such as test questions from test item banks, testlets and linking documents in instruction and test preparation.

- (d) Test administration.
- (1) The superintendent or superintendent's designee shall:
    - (A) assure that each school establishes procedures to ensure that all test administrators comply with test publisher guidelines;
    - (B) inform the local board of education of any breach of this code of ethics; and
    - (C) inform building level administrators of their responsibilities.
  - (2) The principal shall:
    - (A) assure that school personnel know the content of state and local testing policies;
    - (B) implement the school system's testing policies and procedures and establish any needed school policies and procedures to assure that all eligible students are tested fairly;
    - (C) assign trained proctors to test administrations; and
    - (D) report all testing irregularities to the school system test coordinator.
  - (3) Test administrators shall:
    - (A) administer tests according to the directions in the administration manual and any subsequent updates developed by the test publisher;
    - (B) administer tests to all eligible students;
    - (C) report all testing irregularities to the school system test coordinator; and
    - (D) provide a positive test-taking climate.
  - (4) Proctors shall serve as additional monitors to help the test administrator assure that testing occurs fairly.
- (e) Scoring. The school system test coordinator shall:
- (1) ensure that each test is scored according to the procedures and guidelines defined for the test by the test publisher;
  - (2) maintain quality control during the entire scoring process, which consists of handling and editing documents, scanning answer documents, and producing electronic files and reports. Quality control shall address at a minimum accuracy and scoring consistency.
  - (3) maintain security of tests and data files at all times, including:
    - (A) protecting the confidentiality of students at all times when publicizing test results; and
    - (B) maintaining test security of answer keys and item-specific scoring rubrics.
- (f) Analysis and reporting. Educators shall use test scores appropriately. This means that the educator recognizes that a test score is only one piece of information and must be interpreted together with other scores and indicators. Test data help educators understand educational patterns and practices. The superintendent shall ensure that school personnel analyze and report test data ethically and within the limitations described in this paragraph.
- (1) Educators shall release test scores to students, parents, legal guardians, teachers, and the media with interpretive materials as needed.
  - (2) Staff development relating to testing must enable personnel to respond knowledgeably to questions related to testing, including the tests, scores, scoring procedures, and other interpretive materials.
  - (3) Items and associated materials on a secure test shall not be in the public domain. Only items that are within the public domain may be used for item analysis.
  - (4) Educators shall maintain the confidentiality of individual students. Publicizing test scores that contain the names of individual students is unethical.
  - (5) Data analysis of test scores for decision-making purposes shall be based upon:
    - (A) disaggregation of data based upon student demographics and other collected variables;
    - (B) examination of grading practices in relation to test scores; and
    - (C) examination of growth trends and goal summary reports for state-mandated tests.

- (g) Unethical testing practices include, but are not limited to, the following practices:
- (1) encouraging students to be absent the day of testing;
  - (2) encouraging students not to do their best because of the purposes of the test;
  - (3) using secure test items or modified secure test items for instruction;
  - (4) changing student responses at any time;
  - (5) interpreting, explaining, or paraphrasing the test directions or the test items;
  - (6) reclassifying students solely for the purpose of avoiding state testing;
  - (7) not testing all eligible students;
  - (8) failing to provide needed modifications during testing, if available;
  - (9) modifying scoring programs including answer keys, equating files, and lookup tables;
  - (10) modifying student records solely for the purpose of raising test scores;
  - (11) using a single test score to make individual decisions; and
  - (12) misleading the public concerning the results and interpretations of test data.
- (h) In the event of a violation of this Rule, the SBE may, in accordance with the contested case provisions of Chapter 150B of the General Statutes, impose any one or more of the following sanctions:
- (1) withhold ABCs incentive awards from individuals or from all eligible staff in a school;
  - (2) file a civil action against the person or persons responsible for the violation for copyright infringement or for any other available cause of action;
  - (3) seek criminal prosecution of the person or persons responsible for the violation; and
  - (4) in accordance with the provisions of 16 NCAC 6C .0312, suspend or revoke the professional license of the person or persons responsible for the violation.

*History Note: Authority G.S. 115C-12(9)c.; 115C-81(b)(4);  
Eff. November 1, 1997;  
Amended Eff. August 1, 2000.*

## **Appendix D: North Carolina State Board of Education Policies**

The following list includes State Board of Education (SBE) policies related to students identified as limited English proficient as referenced on the SBE Web site.

### **HSP-A-007**

Title: Policy delineating the guidelines for the testing of students with limited English proficiency  
<http://sbepolicy.dpi.state.nc.us/policies/HSP-A-007.asp?pri=01&cat=A&pol=007&acr=HSP>

### **HSP-A-009**

Title: Policy regarding rules, guidelines, and procedures governing the NC testing program  
<http://sbepolicy.dpi.state.nc.us/policies/HSP-A-009.asp?pri=01&cat=A&pol=009&acr=HSP>

### **HSP-A-011**

Title: Policy setting the cut scores for the IDEA® English Language Proficiency Tests (IPT)  
<http://sbepolicy.dpi.state.nc.us/policies/HSP-A-011.asp?pri=01&cat=A&pol=011&acr=HSP>

### **HSP-A-012**

Title: Annual Measurable Achievement Objectives for NCLB Title III  
<http://sbepolicy.dpi.state.nc.us/policies/HSP-A-012.asp?pri=01&cat=A&pol=012&acr=HSP>

### **HSP-C-021**

Title: 16NCAC 6G.0312 Policy providing annual performance standards under the ABCs Model  
<http://sbepolicy.dpi.state.nc.us/policies/HSP-C-021.asp?pri=01&cat=C&pol=021&acr=HSP>

### **HSP-K-000**

Title: 16 NCAC 6D.0106 Policy establishing guidelines for Limited English Proficient Programs  
<http://sbepolicy.dpi.state.nc.us/policies/HSP-K-000.asp?pri=01&cat=K&pol=000&acr=HSP>

### **HSP-N-008**

Title: 16 NCAC 6D .0507 Accountability Standards for Students With Limited English Proficiency  
<http://sbepolicy.dpi.state.nc.us/policies/HSP-N-008.asp?pri=01&cat=N&pol=008&acr=HSP>









