

*John
Ley. letters*



UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

September 3, 1997

Honorable Xavier Becerra
Chairman
Congressional Hispanic Caucus
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I am writing to respond to your letter to President Clinton of July 21, 1997, regarding the educational needs of limited English proficient (LEP) children in the context of the Administration's national standards and voluntary national tests initiative. I appreciate the recent meeting I had with the Hispanic Caucus to discuss the recommendations in your letter. The President and I strongly believe that we must have national standards and tests in the basic skills if we are to provide all of our students with the world-class education they deserve.

As you know, members of the White House staff, and members of my staff in the Department of Education, have been meeting with your staff and others in the Hispanic and education communities who share your concerns. The issues you have raised have been the topic of ongoing discussions within the Administration and, as a result, a number of the recommendations you have made are already being included in the plans for development and implementation of the voluntary national tests.

Let me share with you the steps that we are taking in response to your recommendations.

Testing in native languages. The purpose of the fourth grade test is to test student proficiency in reading *in English*, not general reading comprehension. Therefore, the voluntary national test itself will not be developed in other languages. However, we will be making appropriate accommodations for LEP students, as discussed below.

Nevertheless, I recognize the importance of measuring general reading comprehension in native languages when determining the reading skills of students who have not had sufficient time to learn English. In fact, Title I requires that all students be tested in the languages that will best enable them to demonstrate subject matter mastery. Therefore, local school systems participating in Title I, including those participating in the national assessments, must include LEP students in assessments of reading comprehension.

In order to implement this Title I requirement for testing of LEP students, the Department has recently formed an internal committee. This committee is comprised of staff from the Office of

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Elementary and Secondary Education, the Office of Bilingual Education and Minority Languages Affairs, the Office of Educational Research and Improvement, and the National Center for Education Statistics. The Department intends to work with school districts serving large numbers of LEP students, and with commercial test publishers, to provide technical assistance on these assessment requirements and to identify existing high-quality native language reading comprehension tests that are consistent with high national standards. The Department will also be conducting Title I assessment workshops, focused on LEP issues, as part of its widely-attended annual Improving America's Schools Act conferences held across the country this fall.

Allowing appropriate accommodations. The Department of Education and the voluntary national tests development contractor, in consultation with an advisory committee that is developing specifications for the tests, as well as other testing and language experts, are developing a set of accommodations for testing LEP students taking the reading and math tests in English. Accommodations might include giving LEP students extra time for completing the tests, or making the tests "untimed tests" in which all students are given the time they need to complete them. Moreover, the development contract specifically provides funds for research on the validity of the tests for special populations, such as LEP and disabled students. The development of accommodations will also be informed by NAEP research on the most effective types of accommodations for LEP students.

Final decisions on the type and format of accommodations for LEP students will be made with broad participation in an open public forum. We welcome your and your constituents' participation in this process. We intend to require test publishers that market the tests to incorporate the accommodations into test administration procedures.

Reporting to parents. I agree that we must make every effort to communicate to the parents of LEP students the purpose and use of the voluntary national tests. To a large extent, the effectiveness of these tests rests on the ability of parents to fully understand the standards their children are expected to meet and to use the test results to secure extra help for their children when it is needed, and as a catalyst for school improvement. Therefore, the test results and other appropriate information will be provided to parents in languages they understand. In addition, the Department of Education's Office of Bilingual Education and Minority Languages Affairs will be working with a group of urban districts that enroll large numbers of LEP students to provide them with strategies and materials to help inform parents about the purposes of the tests, and to help prepare students to meet the standards.

Monitoring the implementation of the tests. The Department of Education will contract with the National Academy of Sciences to evaluate the implementation of the tests. This evaluation will include random spot checks to determine the extent to which test administration procedures cover the inclusion of students, including students with diverse backgrounds, in the testing program and the use of appropriate accommodations.

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In addition, the Administration strongly supports the use of school district and school report cards that not only aggregate school and district test results, but also include the disaggregated reporting of test results. Because Title I requires that test results be disaggregated, a growing number of states and local school districts have already adopted this practice. I fully expect that this trend will continue, and that the voluntary national test results will be reported in this fashion. The Department of Education will continue to monitor and encourage this process at the state and local levels. If necessary, we will provide appropriate assistance to strengthen these trends.

Legislation is being transmitted to establish the National Assessment Governing Board (NAGB) as the oversight body for the voluntary national tests. NAGB will review issues such as test administration, inclusion of LEP students and use of the tests, and will ensure that all items selected for use in the tests are free from any racial, cultural or gender bias.

I am committed to working with you, key local education leaders, and with others who support raising academic standards in the basic skills for all students, to continue to find constructive ways of addressing the needs of LEP students as we proceed with the development and implementation of national tests in the basic skills.

Yours sincerely,


Richard W. Riley

THE WHITE HOUSE
WASHINGTON

July 25, 1997

MEMORANDUM FOR BRUCE REED

FROM: SUSAN BROPHY
LEGISLATIVE AFFAIRS

SUBJECT: CONGRESSIONAL CORRESPONDENCE

Enclosed please find a copy of a letter that was sent to the President by Rep. Ruben Hinojosa (D-TX) and others.

The President has requested that he see and sign every letter going to Capitol Hill. We did not want to fully answer the issues addressed in the Members' letter without advice from your office; therefore, I am requesting that your office draft a response and return it to Chris Walker.

Thank you very much for your assistance in this matter. If you have any questions, please feel free to call Chris at 456-7500.

Enclosure

Congress of the United States

Washington, DC 20515

July 21, 1997

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

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Dear Mr. President:

We write to urge you to consider the educational needs of limited English proficient children as you continue to develop and implement the proposed national test. The current plan to develop and administer the national test in reading and math raises serious issues of equity for limited English proficient students ("LEP").

The proposed national test has been hailed as a tool to hold school districts accountable for providing a quality education for *all* students. If this goal is to be met, the test should be developed and administered in such a manner that will maximize inclusion of LEP students.

We are concerned that the current plan for the 4th grade reading test is being characterized as a "reading test in the English language." This will lead to the exclusion of 3 million LEP students. Allowing LEP students to be excluded from the test will perpetuate the educational marginalization of a sizeable portion of students and parents-- most of them Hispanic.

The national test in reading is purported to measure students' ability to read-- construct, extend and examine the meaning of what they read. However, for LEP students the test in English will only be measuring a students' proficiency in English when an assessment tool in their native language could assess their reading skills. Assessing the students' actual reading skills is vital as the skills are transferable to the second language.

To maximize inclusion of LEP students, we urge you to:

- a) **Fund the development of testing instruments that yield reliable and accurate results for LEP students, including assessments in native languages.**

- b) **Make a commitment to allow appropriate accommodations for LEP students taking the reading and math test in English.** We understand that the current plan does not specifically state what, if any, accommodations would be made for LEP students. The accommodations allowed for LEP students should be specifically outlined in the contract for the development of the test.
- c) **Make a commitment to communicate to the parents of limited English proficient students the purpose and use of the national test.** Current proposals leave test reporting strategies as state and local options. Parents who do not understand English should receive test results in the language the parents understand regardless of the language in which the student was tested.
- d) **To ensure equity, implement procedures to properly monitor the extent to which students are included and to appropriately evaluate the implementation of the national test.** One method of monitoring school districts for equity is to require school districts to disaggregate the national test data on the number of students taking and not taking the test by race, ethnicity, gender, disability, LEP status, and Title I status. Because Title I assessment results are mandated to be disaggregated within each State, local educational agency, and school by gender, major racial and ethnic group, English proficiency status, migrant status and disability population, disaggregation of national testing data is not unduly burdensome.

We understand that the current proposal includes plans for further research on assessments for LEP students. While we believe that more research in this area is needed, it alone is not sufficient to ensure equal access to educational opportunities for LEP students.

The Congressional Hispanic Caucus remains committed to ensuring that all of the educational initiatives improve education for Hispanics and all students. We look forward to discussing these concerns with you directly.

Sincerely,

Rubin Hingosa

Mary B. Guepky

Carlos Romeo Bonelo

Salomon Ortiz

Yuan Sun

Ciro Rodriguez

Fluence

Jose E. Alvarez

Robert A. Underwood

Steve Ray

Juan V. Gutierrez

Nydia S. Lopez

Loretta Sanchez

Luille Royal-Allard

Ed Pastor

Esteban Jones