

1. Who is an English learner?

The term “English learner,” when used with respect to an individual, means an individual

- (A) who is aged 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C) (i) who was not born in the United States or whose native language is a language other than English;
 - (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual
 - (i) the ability to meet the challenging State academic standards;
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.

Reference: [ESEA Section 8101\(20\)](#)

2. Who is an English learner with a disability?

The phrase “English learners with disabilities” refers to English learners who are also “children with disabilities” under the IDEA.

Reference: [ESEA Section 3201\(4\)](#) page 212
[IDEA Section 300.8 Child with a Disability](#)
[34 CFR §300.8](#) and [82 FR 31912](#)

3. What is the English Language Proficiency Test?

The English Language Proficiency Test (ELPT) is a secure, large-scale, English language proficiency test administered to Kindergarten through grade 12 students who have been officially identified as English learners (EL). This assessment is administered annually in the Spring to monitor each English learner’s progress in acquiring academic English. As mandated by the Elementary and Secondary Education Act (ESEA), the students are tested in four domains: Listening, Speaking, Reading, and Writing.

<https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/eltoolkit.pdf>

4. What is academic language?

Academic language is decontextualized (the meaning is independent of the text), abstract (nonconcrete), technical, and literary. Academic language is not limited to one area of language and requires skills in multiple domains, including vocabulary, syntax/grammar, and phonology. Academic language includes sophisticated and varied vocabulary and grammatical structures. <https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/eltoolkit.pdf>

5. Can a parent of an English learner request that the student not take the English Language Proficiency Test?

No. The Elementary and Secondary Education Act (ESEA) requires that the Local Education Agency (LEA) assess all ELs using the annual English language proficiency assessment, including those students whose parents have declined to enroll them in, or had them removed from, Language Instruction Education Programs (LIEPs). All ELs enrolled in schools served by the State must be assessed annually using the State’s English language proficiency assessment. (ESEA Section 1111(b)(2)(G)). State or district assessment policies, if they include a right to opt a child out of assessments, do not override or diminish the LEA’s obligation to assess 100 percent of ELs using the annual English language proficiency assessment.

<https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiiiguidenglishlearners92016.pdf> (page 30)

6. If an EL has opted out of EL services or the EL program, is the student required to take the annual ELPT?

Yes. Parents have the right to opt their children out of EL programs or particular EL services. If a parent decides to opt his or her child out of EL programs or particular EL services, that child still retains his or her status as an EL. English learners who opt out of services must, like those receiving programs or services, take the English Language Proficiency Test once per year until they officially exit EL status. There is no ELPT exemption for ELs who do not receive EL services.

<https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap7.pdf>

7. Is it necessary to administer the placement test to a student based on the other languages spoken in the home rather than the language used by the student?

Yes. Per the U. S. Department of Education [English Learner Tool Kit](#), one of the important questions on the Home Language Survey (HLS) is “What is the primary language used in the home, regardless of the language spoken by the student?”

8. Does the notification letter to parents of English learners regarding the results of the LAS Links Placement Test only need to show the student’s score?

No. Per the U. S. Department of Education [English Learner Tool Kit](#), “After the student completes the assessment, parents or guardians must receive, in a timely manner, information about the student’s ELP level and program options and an opportunity to opt out of the EL program or particular EL services in the program.”

9. How is the term “recently arrived” defined as applied to an EL student?

A recently arrived EL student has been enrolled in a school in one of the 50 States in the United States or the District of Columbia for less than 12 months. These months do not have to be consecutive. This is not the same as a recent arrival to a school, LEA, or state.

<https://www2.ed.gov/documents/essa-act-of-1965.pdf> (Section 1111, page 33)

10. How is the LAS Links Practice Test for the ELPT accessed?

Test administrators have access to the student tutorial for students via the Digital Assessment Library. During testing, students have access to practice items prior to taking live test items via the DRC LAS Links INSIGHT System.

11. What is the criteria for students with a significant cognitive disability (SCD)?

Significant cognitive disability (SCD) is determined by the IEP team, marked on the IEP and recorded in the MSIS. All three of the following criteria must be met: (1) The student has been classified as an English Learner. (2) The student has a significant cognitive disability (SCD) and is receiving education services under IDEA. (3) The student is working in an alternate curriculum aligned with the state's academic standards and is participating in the alternate Mississippi Academic Assessment Program.

12. Can an IEP Team determine that an EL with a disability should not participate in the annual ELPT assessment?

No. All ELs, including those with disabilities, must participate in the annual State ELP assessment, with or without accommodations, or must take an appropriate alternate assessment, if necessary (section 1111(b)(7) of the ESEA and section 612(a)(16)(A) of the IDEA). Students with SCD will take the current operational form with allowable accommodations.

13. What is the disability preclusion for the ELPT?

Per U.S. Department of Education guidance, under 34 C.F.R. §200.6(h)(4)(ii), if it is determined on an individualized basis that an EL has a disability that precludes assessment in one or more domains of the ELP assessment (speaking, listening, reading, and writing), such that there are no appropriate accommodations for the affected domain or domains, an SEA must assess the child's English language proficiency based on the remaining domains in which it is possible to assess the student. (Example: A non-verbal EL who, because of an identified disability, cannot take the speaking portion of the ELP assessment.) This is also consistent with obligations under Federal civil rights laws. A determination that a disability precludes assessment in one or more domains must be made on an individualized basis by the child's IEP Team, the student's 504 team or, for students covered under Title II of the ADA, by the team or individual designated by the LEA to make those decisions. Under the very rare circumstances when a student's disability precludes assessment in one or more domains, the student may be exited under the State's exit procedures based on a score of proficient on the remaining domains in which the student is able to be appropriately assessed.

The U.S. Department of Education expects that only in very rare circumstances will children need to be assessed in fewer than four domains due to a disability that precludes assessment in a particular domain, and that the vast majority of ELs with disabilities will be able to be assessed in all four domains, with appropriate accommodations as needed, or by taking an alternate ELP assessment for ELs who are students with the most significant cognitive disabilities.

Example provided in 34 C.F.R. §200.6(h)(4)(ii): A non-verbal EL who, because of an identified disability, cannot take the speaking portion of the ELP assessment. The EL is not precluded from the domain because he or she has a disability; rather, there is not an appropriate accommodation to enable the student to **access** the test. The IEP Team and the 504 Team cannot exempt an EL from taking the ELPT.

https://www.ecfr.gov/cgi-bin/text-idx?SID=c732a351dc6914122384bd7302d5d300&mc=true&node=pt34.1.200&rqn=div5#se34.1.200_15

14. How is the ELPT/LAS Links administered?

The ELPT/LAS Links assessment can be administered via computer, paper, or blended (mix of paper and online). Since paper-based testing is an accommodation; therefore, both paper and blended testing must be documented in the student's Individualized Education Program/504 Plan/Language Service Plan.

15. Can the ELPT/LAS Links be administered over multiple days?

In the current edition of the [MTAM](#), **Accommodation 25** reads, *“Administer the test over several days, specifying the duration of each session. (Testing must be completed within testing window.) Not allowable for speaking component of the LAS Links Test for EL. (Refer to Note 4)”*

CLARIFICATION: **Accommodation 25** focuses on the splitting of an assessment (such as MAAP Math, MAAP ELA, etc.) into multiple parts (example: questions 1-30 on day 1 and questions 31-60 on day 2). To use this accommodation in this capacity, accommodation 25 must be listed in the IEP, Section 504 Plan, or Language Service Plan as a testing accommodation and specified for each assessment for which it will be used.

The **ELPT** is already split into four (4) domains and may be administered over four (4) separate days. For the ELPT, accommodation 25 would be equivalent to splitting a single domain into multiple parts. This type of splitting is very rarely used on the ELPT domains, since each domain is separate. To use this accommodation on the ELPT to split a single domain into multiple parts, accommodation 25 must be listed in the IEP, Section 504 Plan, or Language Service Plan as a testing accommodation and specified for each ELPT domain for which it will be used. (**NOTE: Accommodation 25 is not allowed for the Speaking domain of the ELPT.**)

If each ELPT domain will be administered intact, accommodation 25 is not required.

16. Will the teachers be able to test students in more than one setting?

Students from different grade/test levels can take the test online simultaneously in a computer lab. The LAS Links Online system eliminates one-to-one test administration.

17. How many teachers need to be in the room when giving the LAS Links assessment?

One Test Administrator and one Proctor must be in the room for the online assessment.

18. Does the test have immediate break-up in case of an emergency stoppage?

The LAS Links has a pause test feature for students who need to pause the test for such cases. If you log-out, then you can later log in to the test again with the same login, password, and test access code, and resume testing where you left off.

19. Will Kindergarten ELs be expected to type their constructed and short constructed responses?

Yes, unless paper/pencil is listed in the Language Service Plan as an accommodation and specified for this assessment.

20. Is the Pre-LAS Assessment appropriate for incoming Kindergartners, since the K-1 test requires reading and writing?

Per the U. S. Department of Education [English Learner Tool Kit](#), “Such ELP tests must assess the proficiency of students in all four language domains (i.e., speaking, listening, reading, and writing).”

21. Is there an updated list of accommodations available for LAS Links?

English learners will follow the accommodations in the current edition of the [Mississippi Testing Accommodations Manual](#) for the ELPT. Accommodations that interfere with what the test purports to measure or alter the construct of the test are prohibited, even if those accommodations are listed in the Individualized Education Program/504 Plan/Language Service Plan.

22. What is the cut-off score for proficient on the annual ELPT?

The LAS Links Language Proficiency Assessment provides several score types that include (but are not limited to) number correct, scale scores, context strand scores, and proficiency levels. These score types are reported for each domain for each student. All scores will be reported in the DRC LAS Links INSIGHT System, which will be accessible upon completion of scoring. Exit criteria is detailed in a specific question in this document.

23. Will the Parent Report and the Student Report for the ELPT be available with templates in other languages?

The DRC LAS Links INSIGHT System provides both a student report and a home report in Spanish. Per the U. S. Department of Education [English Learner Tool Kit](#), “If a written translation is not provided, an oral interpretation should be made available whenever needed.”

24. What is monitored status?

The English learner moves to monitored status when he or she has officially exited the program based on the SBE-approved exit criteria. The student will no longer receive EL accommodations and will remain in this status for four (4) years. The student in monitored status does not take the English Language Proficiency Test. While the student is officially in monitored status, the district must observe and check the progress of the student to determine whether or not he or she is advancing academically as expected or whether the student demonstrates a persistent language need.

25. What is the criteria to officially exit a student from the English learner program?

On January 19, 2017, the State Board of Education unanimously approved to revise the English Language Proficiency Test (ELPT) score requirements for English learners (EL) to officially exit EL status. Under the new policy, the student is required to obtain the following proficiency levels on the LAS Links ELPT:

- a) Overall Proficiency Level 4 or 5, **and**
- b) Reading Proficiency Level 4 or 5, **and**
- c) Writing Proficiency Level 4 or 5.

[http://www.mdek12.org/sites/default/files/documents/MBE/MBE%20-%202017%20\(1\)/final-minues-jan-19-2017_001.pdf](http://www.mdek12.org/sites/default/files/documents/MBE/MBE%20-%202017%20(1)/final-minues-jan-19-2017_001.pdf)

26. What is the criteria for an EL with a disability to exit the English learner program?

An EL with a disability can be “exited” from EL status when he or she no longer meets the definition of an EL. This occurs when the student meets the State’s definition of “proficient” in English.

There is no provision in the Individuals with Disabilities Education Act (IDEA) that would authorize the IEP Team to remove the “EL” designation before the student has attained English proficiency. In addition, other LEA and/or school personnel do not have the authority under Federal law to remove a student’s EL designation before the student has been deemed proficient in English solely because the student has an IEP.

27. Can educators exit an EL with a disability from EL services so that the student does not have to take the ELP assessment?

No. According to federal guidance, ELs with disabilities must continue to be identified as ELs until they achieve proficiency in English. IDEA legislation does not permit removal of a students’ EL status before he or she has attained English proficiency.

28. What are the ramifications of exiting an EL student too early or too late?

Exiting EL students either too soon or too late raises civil rights concerns. EL students who are exited too soon are denied access to EL services. EL students who are exited too late may be denied access to parts of the general curriculum. Denied or delayed access to the general curriculum can impede academic growth and contribute to a higher risk of dropping out of school.

<https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap8.pdf> (page 2)

29. Where can I find additional resource information regarding English learners?

The [English Learner Tool Kit](#) has ten (10) chapters (updated with ESSA references), and contains an overview, sample tools, and resources.

<https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>

[Mississippi English Learner Guidelines: Regulations, Funding Guidance, and Instructional Supports May 2018R](#)

http://www.mdek12.org/sites/default/files/2018_English_Learner_Guidelines.pdf