



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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February 2017

TO: District Superintendents
Superintendents of Public Schools
Public School Administrators
Charter School Administrators
Nonpublic School Administrators
Superintendents of State-Operated and State-Supported Schools
Executive Directors of Approved Private Schools
Directors of Special Education
Directors of Pupil Personnel Services
Chairpersons of Committees on Special Education
Organizations, Parents and Individuals Concerned with Special Education

FROM: Angélica Infante-Green *A. Infante - Green*

SUBJECT: Change in Allowable Testing Accommodations on the New York State English as a Second Language Achievement Test (NYSESLAT)

The purpose of this memorandum is to inform you of an update to New York State Education Department (NYSED) procedures on the permissibility of the testing accommodation “tests read” for students with disabilities on the NYSESLAT Reading Session for Kindergarten and Reading sections of the Listening/Reading/Writing Sessions 1, 2, and 3 for Grades 1 – 12. The NYSESLAT is used to annually assess the English language proficiency of English Language Learners (ELL’s). This memorandum supersedes guidance on testing accommodations for students with disabilities provided in the 2016 NYSESLAT School Administrator’s Manual.

To be consistent with the other State examinations, beginning with the 2017 administration of the NYSESLAT, students with disabilities whose individualized education programs (IEPs) or Section 504 accommodation plans (504 Plans) document that tests be read aloud (by way of human reader or technology) must be provided this testing accommodation for all sections of the test. In previous years, the Listening, Speaking, and Writing sections of the NYSESLAT could be read to students, but the Reading section could not.

The recommendation to read tests aloud to a student with a disability is a Committee on Special Education (CSE)/Section 504 Committee decision based on the student’s individual disability related needs. When the committee meets to make

recommendations regarding a student who is an ELL/Multilingual Learner, the school district shall ensure that the committee includes an individual with a bilingual extension or certification as a teacher of English for Speakers of Other Languages. “Tests read” should be a low-incidence accommodation, as it is not effective or appropriate for many students with disabilities. Additionally, accommodating such students with disabilities through auditory presentation of tests does not replace high-quality, specially designed reading instruction or English as a New Language Services by appropriately certified and qualified teachers for such students, nor does it eliminate the need for schools to conduct ongoing assessments of the individual reading skills of such students, and provide continued instruction on specific reading skills.

This change in State policy is intended to be consistent with changes recently announced pertaining to the testing accommodation of “tests read” for the Grades 3-8 English Language Arts Tests. Recommending the accommodation of “tests read” on **all** tests is typically appropriate for those students who have disabilities that preclude or severely limit the ability to decode or access print. Recommending the “tests read” accommodation on all tests, including tests primarily assessing reading comprehension (e.g., the Reading section of the NYSESLAT), may not be appropriate for students with mild or moderate reading disabilities, who may be provided the “tests read” accommodation on other sections of the NYSESLAT (i.e., Listening, Speaking, and Writing). Providing read-aloud accommodations for students who do not need them may have a negative effect on such students’ test performance, and in the case of the NYSESLAT, may affect a student’s identification for subsequent services. Please see the recent November 2016 memorandum “[Changes in Allowable Testing Accommodations on the Grades 3-8 New York State English Language Arts Assessment](#)” for information on considerations for recommending the testing accommodation “tests read” and documentation of “tests read” on an IEP/504 plan.

General information concerning NYSESLAT is available at:
<http://www.p12.nysed.gov/assessment/nyseslat/>.

Thank you for your attention to this important matter. Questions regarding this memorandum may be directed to the Office of State Assessment at 518-474-5900 or emscassessinfo@nysed.gov and to the Office of Special Education at 518-473-2878 or speced@nysed.gov