6A-6.09091 Accommodations of the Statewide Assessment Program Instruments and Procedures for English Language Learners.

(1) The Department of Education shall provide accommodations for English Language Learners (ELLs) to enable them to fully participate in the statewide standardized assessment program as defined in Section 1008.22, F.S.

(2) Each school board shall utilize appropriate and allowable accommodations for statewide standardized assessments within the limits prescribed herein. Accommodations are defined as adjustments to settings for administration of statewide standardized assessments, adjustments to scheduling for the administration of statewide standardized assessments to include amount of time for administration, assistance in heritage language during the administration of statewide standardized assessments, and the use of an approved translation dictionary or glossary to facilitate the student’s participation in statewide standardized assessments. Accommodations that negate the validity of statewide standardized assessments are not allowable. Accommodations shall include:

(a) Flexible Setting. ELLs may be offered the opportunity to be tested in a separate room with the English for Speakers of Other Languages (ESOL) or heritage language teacher serving as test administrator. Parents must be informed of this option for students not of legal age and shall be given the opportunity to select the preferred method of test administration.

(b) Flexible Scheduling. ELLs may take a test session during several brief periods within one (1) school day; however, each test session must be completed within one (1) school day. ELLs may be provided additional time to complete a test session; however, each test session must be completed within one (1) school day.

(c) Assistance in the Heritage Language. ELLs may be provided limited assistance by an ESOL or heritage language teacher using the student’s heritage language for directions, prompts, items, and answer choices. This should not be interpreted as permission to provide oral presentation of prompts, items, and answer choices in English or in the student’s heritage language. Assistance may not be provided for passages in Reading and Writing tests. Assistance in the heritage language shall be limited to the following:

1. The ESOL or heritage language teacher or other trained individual familiar with the student may answer questions about the general test directions in the student’s heritage language. If the test is administered to a group of students, the teacher may answer questions about directions for the benefit of the group. Questions of clarification
from individual students must be answered on an individual basis without disturbing other students.

2. The ESOL or heritage language teacher or other trained individual familiar with the student may answer specific questions about a word or phrase in a prompt, item, or answer choice that is confusing the student because of limited English proficiency but is prohibited from giving assistance that will help the student produce, correct, or edit responses. Assistance may not be provided for words or phrases in Reading and Writing passages.

(d) Approved Dictionary and Glossary. ELLs must have access to English-to-heritage language/heritage language-to-English dictionaries or glossaries or both, in print, electronic, or digital format, such as those made available to ELLs in an instructional setting. The dictionary or glossary must provide word-to-word translations only and may not contain definitions or other information. A dictionary or glossary written exclusively in the heritage language or in English shall not be provided. If the dictionary, glossary, or website uses the Internet, schools must ensure that students have access only to the dictionary, glossary, or website that meets the same requirements and shall not have access to any other sites. Students in Grades K through 2 may be provided with a picture translation dictionary or glossary that meets the requirements above. Electronic translation dictionaries or glossaries that meet the same requirements without accessing the Internet may be used.

(3)(a) The accommodations described in subsection (2) of this rule, shall be offered to any student who has been identified as limited English proficient pursuant to Section 1003.56(2)(a), F.S., and is currently receiving services in a program operated in accordance with an approved ELL district plan and any student who has exited from the ESOL program and is in the two-year follow-up period per Rule 6A-6.09031, F.A.C., Post Reclassification of English Language Learners.

(b) The statewide standardized assessments may be administered with any one (1) or a combination of the accommodations authorized herein that are determined to be appropriate for the individual student.

(4) District personnel are required to implement the accommodations in a manner that ensures that the test responses are the independent work of the student. Personnel are prohibited from assisting a student in determining how the student will respond or directing or leading the student to a particular response. In no case shall the accommodations authorized herein be interpreted or construed as an authorization to provide a student with assistance in determining the answer to any test item.

(5) Each school board shall establish procedures whereby training shall be provided to the ESOL or heritage language teacher who is administering any of the statewide standardized assessments. The training shall be designed
to train the teacher how to administer the statewide standardized assessments within the limits prescribed in this rule.

(6) ELLs who otherwise are classified as students with disabilities as defined by Section 1003.01(3)(a), F.S., or who have been determined eligible and have a plan developed in accordance with Section 504 of the Rehabilitation Act exceptional education or handicapped students shall be afforded the additional test accommodations specified in Rule 6A-1.0943, F.A.C.

(7) Students who are not currently enrolled in public schools or receiving services through public school programs and require accommodations in order to participate in the statewide standardized assessment program shall have access to accommodations identified in subsection (2) of this rule, if the student was classified as limited English proficient pursuant to section 1003.56(2)(a), F.S., at the time of exit from the public school or public school program.

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