Unified ELPA Guidance

Last updated 9/21/26

Summary of Changes 1
Early Proficient Policy and Resources 3
Honoring Student Proficiency on the ELPA Summative and Alt ELPA 15
Private School Participation in English Language Proficiency Assessment (ELPA) Testing 21
Resolving Unclear English Learner Status 23
Students with Disabilities: Domain Exemptions and Identification 27
Contacts and Resources 36

Summary of Changes

September 2026

- Early Proficient
  - Added confirmation that Early Proficient is signaled in CRS score reports.
- Honoring Student Proficiency on the ELPA Summative and Alt ELPA
  - Questions and Answers updated to reflect that carried domains are now displayed in CRS reports.
- Resolving Unclear English Learner Status
  - Clarified language about current and unknown EL status; the same factors apply to students who transfer within Oregon vs. students who transfer to Oregon districts from another state. Added clarifying language to the Unknown row of the current EL status table.
- Students with Disabilities: Domain Exemptions and Identification
  - Moved to proper alphabetical location.

August 2026

- Throughout
  - Minor improvements to wording or layout.
- Domain Exemptions on English Language Proficiency Assessments
  - Renamed to Students with Disabilities: Domain Exemptions and Identification.
  - Updated information about the domain exemption tool in TIDE.
  - Added Section III: EL Identification and Students Experiencing Disability
- Early Proficient Policy and Resources
  - Added information about district responsibility to contact families based on student enrollment status.
  - Updated information on reporting Early Proficient in CRS.
- Honoring Student Proficiency on the ELPA Summative and Alt ELPA
  - Updated information about the appearance of carried domains in CRS.

    - Updated timeline (when the ELPA Proficiency Met tool populates).
- Private School Participation in English Language Proficiency Assessment Testing
    - No changes.
- Resolving Unclear English Learner Status
    - No changes.

Early Proficient Policy and Resources

Overview: ELPA Summative Results and EL Status Decisions

There are four proficiency determinations on the English Language Proficiency Assessment (ELPA) Summative: Emerging, Progressing, Early Proficient, and Proficient. These determinations are used to make decisions about the testing student's English learner (EL) status.

- Emerging and Progressing: the student remains in EL status.
- Early Proficient (first available on the 2025-26 ELPA Summative): the student's parent, guardian, or the adult student themselves decides whether the student remains in or exits EL status.
- Proficient: the student exits EL status.

This guidance document must be reviewed *at a minimum* by district personnel including the District Testing Coordinator and the Title III Coordinator or equivalent (e.g. Multilingual Services Coordinator).

Definitions

This guidance document uses two shorthand terms, with the following assumed definitions.

- **Family**: the parent or guardian making decisions on behalf of a student, or the adult student themselves.
- **Family contact** or **contact**: a real-time, direct engagement conducted in a language the family can understand. Examples include telephone, video call, face-to-face meeting, or similar.

Early Proficient Scoring Category

Purpose and Overview

Early Proficient is a scoring category that first became available on 2025-26 ELPA Summative. The Early Proficient scoring category increases family input in decisions regarding a student's EL status and addresses the existence of measurement error in ELPA testing. It provides additional tools to ensure that students continue to receive English language development services as long as needed, while also having the opportunity to exit when the time is right.

As with the current Proficient result, students scoring Early Proficient are eligible to exit EL status. Unlike a Proficient result, however, the student's family makes the final decision about the student's EL status.

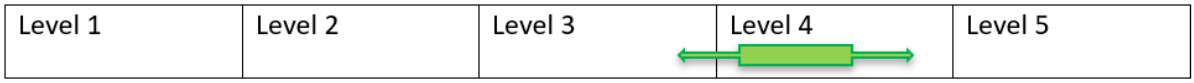
An ELPA Summative score falls in the Early Proficient range if one of the following is true:

A. The student scored 4 on all non-exempt domains *and* the student's conditional standard error of measure for each of those domains extends below the level 4 cut point, OR
B. The student scored 3 on exactly one non-exempt domain and a 4 or higher in all other tested domains, *and* the student's conditional standard error of measure for the domain that scored a 3 extends above the level 4 cut point.

In plain language, Early Proficient scores are either “just over” or “just under” the Proficient threshold. The following illustration visually approximates profiles that qualify for Early Proficient.

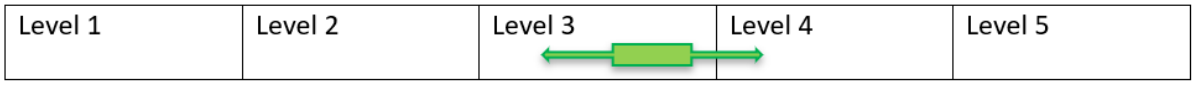
“Just over”

All domains

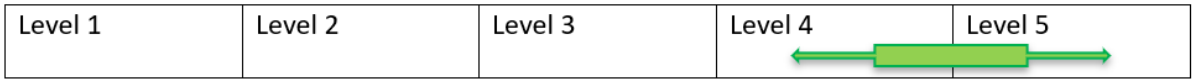


“Just under”

One domain



All other domains



Each student has a unique conditional standard error of measure. Therefore, it is not possible to publish tables listing Early Proficient score ranges.

Requirements

For all students scoring Early Proficient on the ELPA Summative, the district must inform the family of the student’s test result and offer them a decision about the student’s EL status. This includes making a good faith effort (meaning, making multiple attempts through multiple methods) to:

A. Contact the student’s family (per the definitions of "contact" and "family" above), *and*
B. Provide the family with ODE-produced Early Proficient Family Flyer and the ODE-developed Early Proficient Family Decision Form.

The ODE-produced Early Proficient Family Flyer and Early Proficient Family Decision Form should be provided and discussed during the family contact if possible, independently if not (e.g. if real-time contact is not possible or feasible, these materials could be provided asynchronously through mail, email, or other means of communication such as a district parent and student interface).

The family then chooses one of the following:

1. The student will exit EL status.
    a. Just as with any other student who exits via a Proficient result, the student will no longer receive English language development services and will no longer test yearly on ELPA.
2. The student will remain in EL status.
    a. Just as with any other student who has EL status, the student will continue to receive English language development services and test yearly on ELPA.

Details

The requirement to contact families of students scoring Early Proficient is linked to enrollment status. Districts must make a good faith effort to resolve the EL status of all enrolled students with Early Proficient results via the family contact process described here. If a student unenrolls from the district (for example, the student changes districts graduates or otherwise leaves the Oregon K-12 public school system), the testing district is no longer required to complete the family contact. If the student changed districts, the newly enrolling district becomes responsible for completing the required Early Proficient family contact. If the student left the Oregon K-12 public school system, the formerly enrolling district may freely choose to continue or to cease family contact attempts.

Once contact is established, the ensuing conversation must equip the family to make an informed decision by providing information on the meaning of the Early Proficient ELPA score and the results of the family decision point. Part of this requirement involves providing both the ODE-produced Early Proficient Family Flyer and the Early Proficient Family Decision Form.

Only a family decision indicated on the Early Proficient Family Decision form will exit a student from EL status. If the family does not indicate a clear decision via this form, the student remains in EL status. The district may impose a reasonable deadline for submission of the Family Decision Form. The reasonable deadline must include sufficient time to schedule a live or in-person meeting for families who wish such an engagement. For students who test later in the test window, providing families with a reasonable deadline may require the district to update EL status in the fall EL data collection.

The family indicates their choice by fully completing a single ODE-created Early Proficient Family Decision Form and returning that form to the district. Districts will honor family decisions as recorded in the submitted form, even if contact was not established. A district may, but is not required to, accept a replacement form at any time prior to enacting the family's EL status decision via a submission to the EL data collection. For example, a replacement form may be appropriate if the family indicates they made a mistake or did not understand the form.

It is permissible to translate the Family Decision Form or reproduce it in other formats (for example, an online version that can be filled out remotely). If a school or district chooses to reproduce the form, they must use the exact wording of the original (the same words in the same order), with the following exceptions.

- It is permissible to pre-fill the student name and return-by date on behalf of the family.
- It is permissible to make minor changes to the layout to adapt the form to the new format (e.g. break lines in different places, change font size).

It is also permissible to translate the Early Proficient Family Flyer or reproduce it in other formats. As with the Family Decision Form, the exact wording of the original must be preserved. It is permissible to supply additional neutrally phrased information along with the Flyer. The Form and Flyer may be made available at the same time or different times, as the Family Decision Form should only be made available to families with students who score Early Proficient. As mentioned above, provision of the Form and Flyer should be part of a larger

process that involves meaningful contact and conversation with the family. ODE-created Early Proficient materials are designed to support, not replace, this meaningful contact and conversation.

Districts must sign the Family Decision Form to document receipt and must retain it in the student's permanent record. Districts report EL status through the EL data collection by using the EL record types for "Early Proficient" (1-F or 4-Q depending on participation in the EL instructional program). ODE will monitor district implementation of Early Proficient processes during regular monitoring and data reviews.

Family Contact

Family contact is a real-time, direct engagement conducted in a language the family can understand. A successful family contact should involve a conversation that explains Early Proficient and the associated family decision. The full conversation may take place in stages and be scheduled for mutually agreed-upon times and places. ODE recommends the full conversation cover the following topics:

- The purpose of EL status and language services
- The purpose of the ELPA Summative testing
- The student's observed academic performance, both in ELD and content area classes
- The Early Proficient scoring category and requested family decision about EL status
- Potential outcomes of the family decision (e.g. impacts on the student's schedule, participation in future ELPA testing, access to academic support)

It is best if the conversation involves district personnel who have direct academic experience with the student in question. If this is not possible, the conversation should involve district personnel who are knowledgeable about English learners and the district's English language development program.

Information must be presented neutrally, with no attempts to influence the family decision in either direction. It is permissible to share information about the student's observed English proficiency (both in formal and informal settings) and academic performance. It is also permissible to respond to family questions about current English proficiency or academic performance and questions that ask for professional judgement about the student's probable future success if they exit EL status vs. remaining in EL status. If the family directly asks district personnel to recommend a decision, or to make the decision on their behalf, district personnel should explain that the district is not permitted to recommend an outcome or make the decision for the family.

If family contact cannot be established, the district must still make a good faith effort to provide the Early Proficient Family Flyer and the Early Proficient Family Decision Form asynchronously. If despite the preceding efforts the family cannot be provided with the Early Proficient Family Decision Form, or is provided with the form does not complete and return it, then there is no clear family decision and the student will remain in EL status.

The Early Proficient District Resources section of this guidance document contains additional resources to support districts in their conversations with families.

Other Policies

Early Proficient makes no changes to EL status or any other policy governing EL status.

- Students who exit EL status via a decision based on an Early Proficient scoring result are subject to academic monitoring for four years (just like students who exit via a traditional Proficient score).
- Students who score Early Proficient but remain in EL status will continue to receive language services and will test annually on the ELPA Summative until they score Proficient (in which case they will exit) or Early Proficient (in which case a new decision will need to be made by the student's family). An Early Proficient result does not carry forward year to year.
- Early Proficient makes no changes to On Track to ELP calculations.
- Early Proficient applies to the K-12 general ELPA Summative (remote or in-person) only. There is currently no Early Proficient score range for the ELPA Screener or the Alt ELPA.
- Early Proficient is an Oregon policy and does not apply to test results from other states (even other ELPA states).
- Early Proficient makes no changes to ODE's Honoring Student Proficiency on the ELPA Summative and Alt ELPA policy, which is calculated based on domain performance levels 1-5.
    - Note: a student who scores Early Proficient and does not exit EL status will *drop all carried domains*. They will be eligible to begin carrying domains again on their next ELPA Summative.

Revisiting the Early Proficient Decision

Family decisions documented and implemented via the Early Proficient Family Decision form are final and not subject to appeal. If the family or district comes to believe that an Early Proficient decision resulted in an inappropriate EL status, resolve those concerns using the following process.

Concern 1: Inappropriate exit. The student exited EL status, but the district or family now believes they should have remained in EL status.

Action 1: If the district has reason to believe that the student may be experiencing a persistent language barrier, they may readminister the ELPA Screener. The student may then be reentered into EL status if they (a) do not score Proficient on the ELPA Screener, and (b) the family consents to this reentry.

Per the Office of Civil Rights' 2015 Dear Colleague Letter, page 34[1]: "If district monitoring indicates that a persistent language barrier may be the cause of academic difficulty because general education and remediation services have proven inadequate, school districts should re-test the student with a valid and reliable, grade-appropriate ELP test [in Oregon, the ELPA Screener] to determine if there is a persistent language barrier and must offer additional

[1] This document was rescinded by the US Department of Education, but the laws and court cases supporting its text remain in force.

language assistance services where needed to meet its civil rights obligations. In no case should re-testing of an exited student's ELP be prohibited. If the results of the re-testing qualify the student as EL, the school district must reenter the student into EL status and offer EL services. If the student is reentered into EL services, school districts should document the bases for the reentry *and the parents' consent to such reentry* [emphasis added]."

Concern 2: Inappropriate retention. The student remained in EL status, but district or family now believes they should have exited.

Action 2: Early Proficient decisions are not subject to appeal. The student remains in EL status. The family may waive English language development services if desired. The student continues to test on ELPA. If the student scores Proficient on a future test, they will exit EL status. If the student scores Early Proficient on a future test, the family will decide at that time whether the student exits or remains in EL status.

Score Reporting

Official score reports from ODE data applications, such as Individual Student Reports (ISRs) generated in Secure Assessment Reports (SAR) or data downloads generated in Accountability Warehouse Extracts (AWE), signal an Early Proficient performance in the overall proficiency status or proficiency determination field. Domain performance levels are reported using numeric values 1-5.

Data downloads from ODE data applications will indicate Early Proficient overall performance with an "E" in the ELPA21ProfSts field. "E" means that the student's score for eligible domains met the definition of Early Proficient outlined above. The domains which qualified the test for an Early Proficient result will be indicated (R, W, L, S, or A for All) in the Approaching Proficient field in the AWE download file (field: ApprchngProfCd).

Score reports from the Centralized Reporting System (CRS) signal Early Proficient in the overall proficiency determination field.

Questions and Answers

1. Why does Early Proficient include criterion A (that is, "just over" the Proficient threshold)? In past years, a score of all 4s or higher was considered Proficient.
    a. Early Proficient is an attempt to account for measurement error, a factor which is present in all tests (not just the ELPA Summative). Measurement error means that the student's true knowledge and skills could exceed or fall short of their performance as measured in this one test event. Structuring Early Proficient to include both "just under" and "just over" scores accounts for both directions of measurement error. Applying the standard error of measure in only one direction would be a misuse of the concept.
2. What should districts do if they discover an Early Proficient score from a previous year that was overlooked?
    a. Students scoring Early Proficient only exit EL status if both of the following occur:
        i. The district receives a clear family decision to exit the student.

ii. The district reports this outcome in the spring or fall EL data collection of the same calendar year that the Early Proficient score was earned.

b. If a district discovers that an Early Proficient score was overlooked, and sufficient time remains before the fall EL data collection to establish contact as defined above, the district may still reach out to the family. If sufficient time does not remain, or the fall EL data collection has closed, this means the district did not receive a clear family decision and the student will remain in EL status.

3. Can a district choose not to act on an Early Proficient result?
    a. The district must make a good faith effort to contact the family, explain the Early Proficient result, and offer the family a decision about the student's EL status. Districts may not unilaterally decide to discard or ignore an Early Proficient result.
4. What if the family does not fully complete the Family Decision Form, or submits more than one form and the forms contradict each other?
    a. The family decision must be captured on a single, fully completed form. Any other outcome means there is no clear family decision, and the student remains in EL status.
    b. It is permissible for the district to reach out to the family to resolve confusion about the Family Decision Form (for example, to confirm if one form was intended to replace another, or to obtain missing information on a partially completed form).
5. Can the family change their mind about their Early Proficient decision and request a different outcome?
    a. This may be possible under some circumstances. If the family changes their mind *before* the student's EL status has been reported, see information about submitting a replacement form in the Details section above. If the family changes their mind *after* the student's EL status has been reported, see Revisiting the Early Proficient Decision above.
6. Why do carried domains drop if a student who scores Early Proficient does not exit EL status?
    a. If a family chooses for their student to remain in EL status, or does not communicate a clear desire for their student to exit EL status, this is assumed to mean that the family wants their student to continue receiving English language services. Carrying domains could result in exiting a student against the family's will.
7. What happens if a district tries to contact the family, but they cannot be reached (e.g. no response, contact information out of date) or it proves impossible to schedule a real-time conversation (e.g. scheduling conflicts, family declines to meet)?
    a. If family contact proves unsuccessful, the district must still attempt to make the Early Proficient Family Decision Form available asynchronously.
    b. If district attempts to provide the Early Proficient Family Decision Form are unsuccessful, or the family does not return the form prior to the district's

reasonable deadline, then there is no clear family decision, and the student remains in EL status.

8. Can Early Proficient be applied to tests taken prior to 2025-26?
    a. No. Early Proficient is not retroactive. It only applies to general ELPA Summative tests completed in the 2025-26 school year and following.
9. For students who do not score Early Proficient, is it possible to find out how close they came?
    a. No. Each student has a unique conditional standard error of measure, so ODE cannot publish tables with set score points for the Early Proficient range.
10. What about students who graduate or change districts? Is the district still responsible for completing the family contact process described above?
    a. Early Proficient requirements are linked to enrollment status. Districts must complete family contact for enrolled students. They may cease family contact attempts if the student unenrolls from the district.
    b. More information on this question can be found in the Details section above.

Early Proficient District Resources

Early Proficient Process Summary

1) Student completes the general ELPA Summative and district retrieves a score report.
    a. If the student did not score Early Proficient, **stop here**. Resolve the student's EL status using existing procedures.
    b. If the student scored Early Proficient, **continue**.
2) The district makes a good faith effort to establish contact with the student's family.
    a. As part of the contact process, either hold or schedule a meaningful real-time conversation with the family to explain and help the family navigate the following steps. This conversation is best held in person.
3) District provides the family with the Early Proficient Family Flyer and the Early Proficient Family Decision Form.
    a. Provide these documents during an in-person meeting if possible, independently if not.
    b. The district must communicate a reasonable deadline for returning a completed Early Proficient Family Decision Form.
4) Family may make a decision about the student's EL status and return the Early Proficient Family Decision Form to the district at any time within the reasonable deadline.
    a. The Flyer is informational only and does not need to be returned.
    b. If the family decides to exit the student, district reports the student as exiting in the next EL data collection.
    c. If the family decides the student will remain in EL status, district reports the student as continuing to receive language services in the next EL data collection.

d. If no clear family decision is available (family did not return form within the reasonable deadline, family did not clearly mark form, or similar), the student remains in EL status.

5) District reports student's EL status in either spring or fall EL Data Collection.
    a. District preserves documentation in student's permanent record.

Family Contact Conversation Guide

The following conversation guide may help districts plan family contact. Its use is optional and sample dialogue following each point is provided for illustrative purposes only. Do not treat dialogues as a script that must be read word for word.

1. Begin with necessary and appropriate greetings and introductions.
2. Briefly review English learner status and ELPA testing.
    a. As you know, (student name) receives English language services at our school. These services are one way we support (student name)'s success at our school. (Student name) takes a test every year, called the ELPA, that tells us if they still need language services.
3. Explain the Early Proficient scoring category.
    a. This year, (student name) scored Early Proficient on the ELPA. That means that they are very close to the Proficient and might no longer need English language services.
4. Explain the family decision point.
    a. Because they scored so close to Proficient, we are asking you what you would like to happen with your student. You may choose for your student to leave English learner status, which means they would no longer get English language services and stop testing on ELPA. Or you may choose for your student to stay in English learner status, which means they will keep getting English language services and test again on ELPA next year.
5. Explain how you will help inform the family decision.
    a. While we can't make this decision for you, we can answer any questions you may have. We will tell you how your student is performing in school, including what we have observed about the student's ability to read, write, and speak English. We will also tell you how we will continue to support your student whether they leave or stay in English learner status.
6. Explain how to make the decision.
    a. Once we've answered your questions and you have had the time you need to think about your decision, tell us your choice by filling out this form [show Early Proficient Family Decision Form]. The form, and the reminder sheet that goes with it [show Early Proficient Family Flyer], have some reminders of what we talked about today.

b. You don't have to decide today. To prepare for next year, we will need your decision by (date). You make your decision by marking either "leave EL status" or "stay in EL status" on the decision form and returning it to our school. If we don't get a decision by (date), (student name) will stay in EL status.

7. Emphasize that whatever the family's decision, supporting the student remains a priority.
    a. If (student name) stays in EL status, they will have more chances to demonstrate proficiency on future ELPA tests. You also have the right to waive English language services for (student name) even if they stay in EL status. We will keep supporting (student name)'s success at school whether they leave or stay in EL status.
8. Close and offer more chances to connect.
    a. Thank you for taking the time to meet with us. We are happy to have more conversations or get more information to help with your decision.

Family Decision: Questions for Reflection

Districts may use the following questions to anticipate information and topics that might be of value to families or help families think through issues that matter to them. ("My child" phrasing assumes a parent or guardian, and should be adjusted for adult students.)

Student Learning & Progress

- Has my child shown growth in their ability to read, write, and speak English?
- Which areas of English language development (reading, writing, speaking, listening) seem to be improving most? Which still need support?
- How confident does my child feel using English in academic settings and social situations?

Academic Performance

- How is my child performing in classes taught in English (e.g., math, science, social studies, specials or electives)? How fully are they able to understand the content and participate in these classes?
- What do teachers report about my child's English proficiency?

Student Voice & Experience

- What does my child say about their experience in the ELD program?
- How does my child feel about EL status? Does EL status have social, emotional, or self-esteem impacts that matter to or for my child?
- What are their goals for school and beyond? How does ELD fit into those goals?

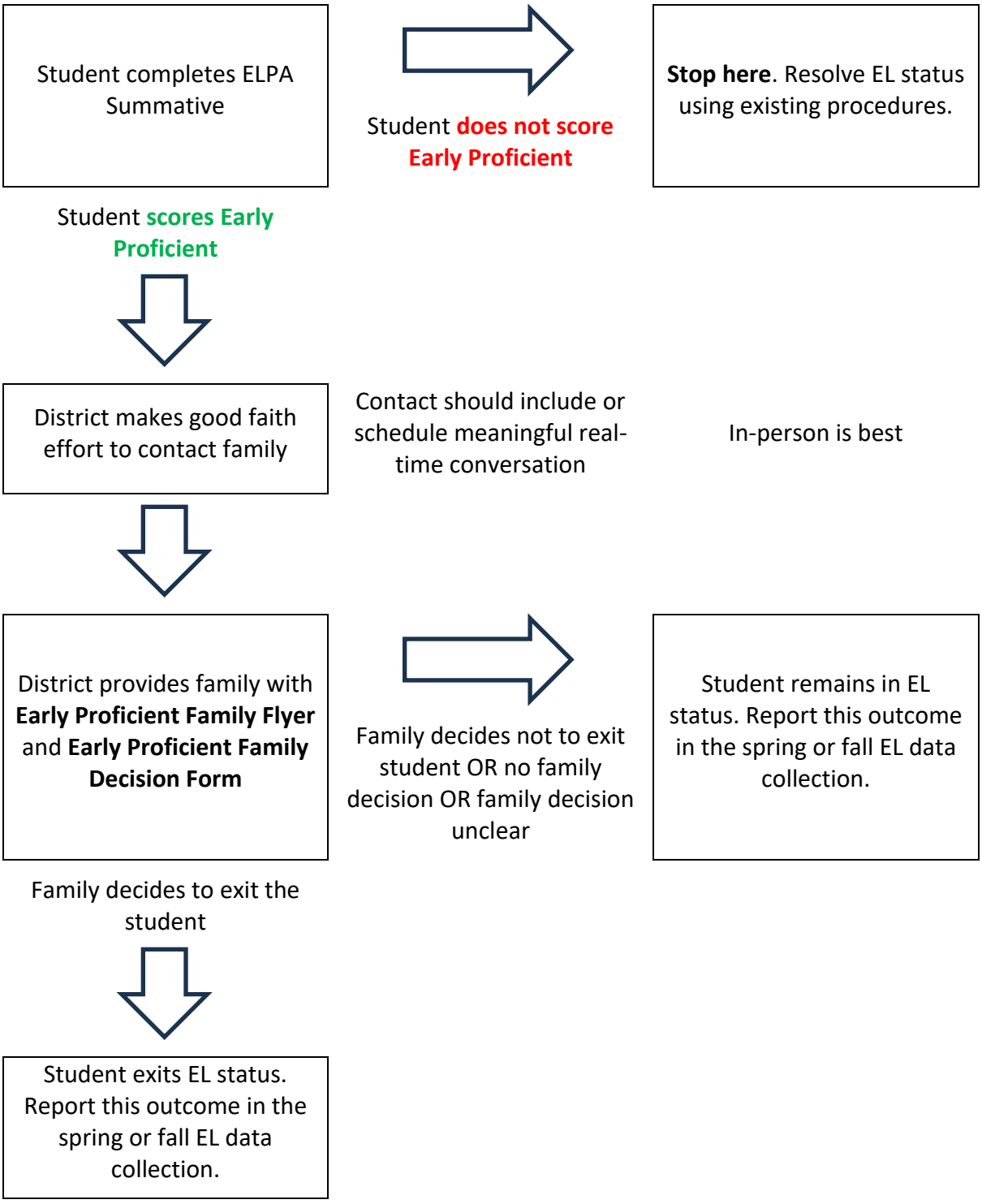
Scheduling & Opportunities

- If my child exits the ELD program, will that open up time for other classes or activities that are important to them (e.g., electives, advanced coursework, extracurriculars)?
- How will the school support my child if they still need help with English after exiting the program?

Family Observations & Values

- What have I noticed about my child's use of English at home and in the community?
- Do I feel they are ready to succeed without the additional support of the ELD program?
- What are my hopes for my child's education? How does this decision align with those hopes?

Early Proficient Process Flow Chart



Honoring Student Proficiency on the ELPA Summative and Alt ELPA

Summary

Oregon's testing system automatically "carries forward" qualifying performance in individual domains (i.e. Reading, Writing, Listening, and Speaking) of the Grades 6-8 and 9-12 English Language Proficiency Assessment (ELPA) Summative tests. Carried domains are excluded on future tests, which complete scoring using the qualifying performance that was preserved for the carried domains.

The same is true of the Grades 6-8 and 9-12 Alternate (Alt) ELPA, but at the modality level (i.e. Receptive and Productive) rather than the domain level. In the interests of concision, carried domains/modalities are referred to throughout this document as "carried elements".

Student and Staff Overview

Participating students will experience a streamlined version of the test. When the system detects an eligible score on the ELPA Summative or Alt ELPA, it preserves student responses and incorporates them into future tests. This is referred to as "carrying" the element (domain/modality). The student will not see carried elements as selectable tests in future years. Carried elements contribute to a Proficient profile. If the combination of carried and tested (i.e. non-carried) elements meets the Proficient definition for the test, the student is eligible to exit English learner (EL) status.

Students may accumulate carried elements in any order and at any rate. Carried elements do not expire, but they will drop if a student scores Proficient, scores Early Proficient, or misses a year of ELPA testing (see Technical Details below).

The testing system identifies eligible students and takes note of elements to be carried. District staff have no data entry, recording, or reporting responsibilities. However, students will likely need district staff to help explain the basics of the carrying policy and what it means for their testing. Students may choose to test on carried elements rather than having them excluded from future testing. In such a case, districts would inform their Regional ESD Partner of this choice, and the element in question would be presented as in any other year.

Technical Details

The testing system will do some work behind the scenes to capture and implement carrying. The following list summarizes the major steps.

1. Student achieves an eligible score on the ELPA Summative or Alt ELPA. Eligible scores include:
    a. 4 or higher on one or more domains of the Grade 6-8 ELPA Summative. The scale score must exceed the Grade 8 level 4 cut point.
    b. 4 or higher on one or more domains of the Grade 9-12 ELPA Summative.
    c. 3 or higher on a modality of the Grade 6-8 Alt ELPA. The scale score must exceed the Grade 8 level 3 cut point.
    d. 3 or higher on a modality of the Grade 9-12 Alt ELPA.

2. The Summative score is reported to ODE. The testing system captures the student responses for the element to be carried.
    a. Performance for a carried element is "frozen" in place. This means that on future testing, domain interactions cannot pull a carried domain below a score of 4 and cannot pull a carried modality below a score of 3.
3. Carried elements are recorded in the student's profile in the Test Information Distribution Engine (TIDE).
    a. This will be recorded by domain in an attribute called "ELPA Proficiency Met." District users can see this attribute, but cannot modify it.
    b. ELPA Proficiency Met will populate in mid-December each year.
    c. ELPA Proficiency Met displays domains only. Carried modalities for the Alt ELPA will display as a domain combination. For example, if the Productive modality is carried, ELPA Proficiency Met will show both Speaking and Writing as carried.
    d. Districts must enter domain exemptions in TIDE for students with a carried Alt ELPA modality by December 1. If a carried modality included an exempted domain, and that domain is no longer exempted as of the December 1 deadline, that modality will not be carried. Each fall, ODE will attempt to contact districts with students in this situation to remind them to take this step.
4. For the following year's ELPA Summative or Alt ELPA opportunity, and all following tests *in the same grade band and in an unbroken sequence*, carried elements are not presented to the student.
    a. The student should be informed that carried elements will be excluded. The student should be offered the option to test on the carried elements if they wish to. This decision must be made prior to opening the test.
        i. For students carrying a modality of the Alt ELPA, the student's parent(s) or guardian(s) should be involved in this conversation.
    b. If the student wishes to test on one or more elements, this decision must be communicated to your Regional ESD Partner so that the element can be reactivated prior to opening the test. If the student does not wish to test on a carried element, no action needs to be taken by the district.
    c. If the student chooses to test on a carried element, they will retain the higher of the two performances (so the element will remain carried regardless of student performance in the retest).
        i. The Alt ELPA is scored and carried by modality, not by domain. Students who choose to test on a modality will see all non-exempt domains in that modality. It is not possible to carry one domain of a modality and test on the other.
    d. "In the same grade band" means that elements will not be carried from a Grade 6-8 test onto a Grade 9-12 test.
    e. "In an unbroken sequence" means the student must test on the ELPA Summative or Alt ELPA every year to carry elements forward. If a student has any non-exempt domains/modalities that should be tested in a given school year, but are

not, all carried elements will drop. Invalidated tests do not satisfy this requirement; if a student's test is invalidated, carried elements will drop.

5. A preliminary score is reported to ODE (containing only non-carried, non-exempt domains/modalities).
6. The test completes scoring using the student's captured responses. This allows the carried element to interact with other domains/modalities (as would be the case in an administration with no carried elements).
    a. If the student achieves an eligible score on **one or more remaining domains of the ELPA Summative** (but not all remaining domains), those domains are added to the student's list of carried elements.
    b. If the student achieves a **Proficient or Early Proficient profile on the ELPA Summative**, the student is eligible to exit EL status. All carried domains are removed from the student's profile in TIDE.
    c. If the student achieves a **Proficient profile on the Alt ELPA**, the student is eligible to exit EL status. Any carried modalities are removed from the student's profile in TIDE.

Timeline

Month	Activity
August-September	Beginning of school year.
October	On or near Oct. 15: "ELPA Proficiency Met" attribute in TIDE populates, signaling which students will be participating in this policy.
January	**(action needed)** Prior to testing: notify Regional ESD Partner of students who wish to test on carried elements. ELPA Summative and Alt ELPA window opens.
February-June	Tests with carried elements complete scoring as batches come in. Students whose tested domains/modalities and carried elements combine to create a Proficient profile exit EL status. Newly eligible domains/modalities are carried forward for future testing.
April	ELPA Summative and Alt ELPA window closes.
July	End of school year.

Policy History

Per the design of the ELPA Summative, students need to score a 4 or higher on all four elements in the same year to score Proficient and exit EL status. For the Grade 9-12 ELPA Summative, the proficiency expectations and the item pool remain consistent throughout the grade band. In other words, Grades 9-12 feature variations on the same test.

This combination of factors means that some students taking the Grade 9-12 ELPA must demonstrate proficiency on the same content, according to the same standards, year after

year. This is undesirable measurement practice and runs counter to ODE's equity stance. Therefore, in 2020-21 ODE implemented *Honoring Student Proficiency on the High School (HS) ELPA Summative*. As the title suggests, this policy combines what we know about good measurement with our ongoing effort to "rehumanize" assessment. This policy increases our collective ability to recognize and honor what students know and can do, while still safeguarding their civil right to receive appropriate English language proficiency instruction and services.

This policy was initially approved by the US Department of Education through the 2024-25 school year. In 2024-25, ODE requested and was granted a renewal of this policy that permitted extension of the policy into Grades 6-8 and onto the Alt ELPA (Grades 6-8 and Grades 9-12), as well as "freezing" scores as defined above. The policy extensions were first applied to tests taken in the 2024-25 school year. The policy extension was approved through the 2028-29 school year, at which time ODE will need to request a policy renewal.

Questions and Answers

1. **Is "carrying" the same as banking?**
    a. The two are extremely similar. "Banking" saves scores and nothing else. "Carrying forward" retains student item responses and scores future tests using those saved responses. For most people, the difference between carrying and banking will not matter.
2. **Can students carry domains on the ELPA Screener?**
    a. No. The ELPA Screener draws from a different item bank and has different scoring rules than the ELPA Summative. The Screener also has a different purpose than the Summative.
3. **How is carrying signaled? How will students and staff know that a domain/modality has been carried?**
    a. Currently, there are three main ways to know that a domain/modality was or will be carried forward.
        i. Achieving an eligible score means the domain/modality will be carried. This continues to be difficult to signal on official ISRs, as there is little to no room for additional information.
        ii. Carried elements are signaled in TIDE via the ELPA Proficiency Met attribute.
        iii. Carried elements are signaled in the Centralized Reporting System (CRS) score reports and data downloads by domain: [domain] Carried from Prior Year.
4. **Why do carried domains/modalities drop if a student scores Early Proficient?**
    a. Students who score Early Proficient are eligible to exit EL status with family approval. If the family elects for the student to remain in EL status, then that signals they want the student to continue receiving language services, and the student should test again to measure the effectiveness of those services.

5. **What if a district feels that performance doesn't represent the student's true ability, and that a domain/modality should not be carried?**
    a. Carrying elements is not subject to appeal.
    b. Analysis of impact data from prior years indicates that this policy is very unlikely to yield increases in inappropriate exits.
    c. Students who exit EL status enter monitoring status (regardless of how or why they exited). If a district determines that a student was exited inappropriately, and that significant language barriers are clearly present despite a Proficient result on the ELPA Summative or Alt ELPA, there are provisions for reentering those students into EL status. Contact ODE for more information.
6. **How does this policy interact with domain exemptions?**
    a. ELPA Summative: It is possible for a student to have both carried domains and domains that are exempted through a decision by the student's IEP team. In such cases, the system excludes the domains indicated by the IEP team *and* domains that are being carried from previous years.
    b. Alt ELPA: The Alt ELPA mostly works like the ELPA Summative. However, because modalities are carried (not individual domains), a carried modality may overwrite a domain exemption decision if the IEP team decides to change which domains are carried and does not inform ODE. This is captured in 3(d) in Technical Details above.
    c. Remember that exemption decisions are made by IEP teams based on the impact of a disability. It is inappropriate to base an exemption decision on the presence or absence of carried elements, or the probable effect of the exemption on a student's chances of exiting EL status.
    d. Contact ODE with questions regarding specific students.
7. **Will this policy be extended into other grades?**
    a. There are no plans to extend this policy into grades K-5 at this time.
8. **Why are there different rules for Grade 6-8? Why can't elements from a Grade 6-8 test carry onto a Grade 9-12 test, and why does a student need to exceed the Grade 8 scoring threshold to carry an element?**
    a. The Grade 6-8 and Grade 9-12 tests have different item pools and different performance expectations. It is not possible to carry responses from a Grade 6-8 test onto a Grade 9-12 test.
    b. The score must exceed the Grade 8 threshold because otherwise, the performance *expectation* will increase but student's *preserved* performance will not change. This would effectively "lock them out" of the ability to score Proficient.
9. **Is this policy active in other ELPA21 states?**
    a. To date, no other ELPA21 state has indicated an intention to carry elements forward on ELPA21.
    b. This policy is based on scores that flow into ODE's system. There is currently no way to transfer ELPA scores to or from other state data systems, so we do not

expect to either send carried element performances to, or receive them from, other states.

10. What district action is required regarding the ELPA Proficiency Met attribute in TIDE?

a. Districts have no responsibilities regarding the ELPA Proficiency Met attribute. It is present in TIDE for informational purposes only. The attribute cannot be modified by district-level users. This attribute updates annually in mid-December.

Private School Participation in English Language Proficiency Assessment (ELPA) Testing

Summary

Private schools do not participate in the Oregon Statewide Assessment System (OSAS). This includes English Language Proficiency Assessment (ELPA) Screener and Summative testing. There is no provision for private schools to "opt in" to such testing.

This document contains brief, introductory information regarding private school English language proficiency (ELP) testing. It is not an exhaustive resource on the subject and does not address related areas such as allowable uses for the Title III equitable services proportionate share.

Title III Participation

Private schools may choose to participate or decline participation in equitable services for federal Title III programs. Private schools who choose to participate in Title III need to have appropriate processes in place for identification (including a state-adopted Language Use Survey and an ELP screening instrument), and yearly summative testing, of students with EL status. Districts and private schools may collaborate to select appropriate testing instruments for screening and yearly ELP summative testing, but the ELPA Screener and Summative are not available for this purpose. Per federal non-regulatory guidance, ELP testing instruments selected by private schools need to be valid, reliable and utilize objective criteria that would be comparable to the statewide ELPA.

The following non-exhaustive list of commercially available ELP testing instruments is supplied for illustrative purposes only and does not constitute a recommendation or endorsement by ODE.

- Individual Proficiency Test (IPT)
    - Note that IPT only assess three language domains and may result in under-identifying students with EL status.
- Language Assessment Scales (LAS) Links
- Language Proficiency Test Series (LPTS)
- Test of English Language Learning (TELL)
- Woodcock-Muñoz Language Survey

District Responsibilities

During yearly consultation, districts should assist private schools in establishing appropriate processes for identification and yearly ELP summative testing of students with EL status. This document does not address district responsibilities in other areas, such as provision of equitable Title III services.

Transferring Between Districts and Private Schools

When a student moves between a district and a private school, the information that travels with that student and action required by the receiving school depends on whether the student is receiving Title III services at the private school. See the table below.

Transfer	Action required
District to private school	If student **will receive** Title III services at the private school: Private school uses EL status indicated by district. If student **will not receive** Title III services at the private school: Private school may choose to follow private school identification procedures, use EL status indicated by district, or neither.
Private school to district	If student **received** Title III services at the private school: District uses EL status indicated by private school. If student **did not receive** Title III services at the private school: District administers Language Use Survey. If indicated, screen student using ELPA Screener.

Note that this table concerns EL status only. Receiving schools should independently determine needed level of services and instruction for transferring students.

Resolving Unclear English Learner Status

Current EL Status

ODE honors English learner (EL) status determinations made in other states for students who transfer into an Oregon public school, regardless of the English Language Proficiency (ELP) assessment used in that state. This includes all state determinations regarding entry into and exit from EL status. This policy took effect July 1, 2023 and is not retroactive. It has no impact on decisions about EL status made prior to the 2023-24 school year.

For the purposes of this guidance, "state" includes all states and territories of the United States.

The following table summarizes how EL status transfers when a student first enrolls in an Oregon school district (whether from another Oregon district or from a district outside of Oregon), along with necessary action by the receiving district.

EL status before enrollment	**EL status after enrollment (and necessary action)**
Unknown	Unknown • Consult or complete Oregon Language Use Survey (LUS). • If LUS rubric indicates, administer ELPA Screener, then use results to determine EL status. This is the most likely status for students with a gap of more than one year in their ELP testing history. For more information, consult "Unknown EL status and monitoring" below.
Screened and found ineligible for EL status (ex. "initially fluent")	Does not have EL status • Do not administer an ELP assessment. • Follow student academic and linguistic progress for one year, in case screening for entry into EL status is needed. • Where appropriate, report as "Never EL".
Currently has EL status	Has EL status • Administer English Language Proficiency Assessment (ELPA) Summative during next available test window. • Where appropriate, report as having EL status using Reporting EL Status instructions at the end of this document.
Exited from EL status	Does not have EL status • Complete monitoring cycle (four years following EL exit date). • If monitoring cycle was completed in the district or state of origin, or time left in monitoring cycle is unknown, monitor

	student academic progress for one year, in case reentry into EL status is needed. • Where appropriate, report as "Monitored EL" (5-M) or "Former EL" (5-F). ○ Both these designations require a start and exit date.

English Learner History Report

The English Learner History Report can be used to verify existing EL status for Oregon students.

The English Learner History report is found on ODE Consolidated Collections. This report is linked to (1) SSID, (2) EL data collections and (3) assessment data. As soon as a student's SSID has been updated with ODE, then this report is updated. Any student with a prior EL data collection record will be included on this report.

To access this report:

1. Sign in to the ODE District secure applications
2. Open Consolidated Collections application
3. Click on the Report Tab
4. Click on ESEA Title III: Limited English Proficiency in the first column
    a. The click opens the middle column
    b. Click on the most recent EL data collection (most recent report year)
        i. This click will open the last column
        ii. Click on English Learner History Report
5. The report will display on the screen. You can also download as a CSV file.

Unknown EL status and monitoring

Use the following decision tree to determine whether a student's EL status is "unknown". This decision tree applies to all students regardless of previous enrollment or educational experience (arriving from another country, enrolling from another state, transferring from another district, returning to school after a gap in schooling, enrolling with no known previous schooling, etc.).

1. Are educational records from any US state or territory indicating the student's EL status in the current or previous school year available within federal identification timelines?
    a. **Yes**: Stop here. Use EL status as indicated in available records.
        i. "Any US state" includes Oregon.
        ii. "Educational records" includes both information **sent** by the student's institution of origin and information that can be readily **retrieved** by the student's receiving institution. The records must include an EL start date and/or EL exit date to confirm the student's current EL status.
        iii. "Available" refers to information the student's receiving institution could reasonably be expected to know about and have consulted. Under this definition, information in the EL History Report is "available".

b. **No**: Continue.
    i. As a reminder, EL status must be resolved within 30 calendar days for students enrolled on the first day of the school year, or 14 calendar days otherwise.

2. Did the student test on one of Oregon's adopted ELP assessments in the current or previous school year, resulting in a valid score?
    a. **Yes**: Stop here. Use the valid Oregon ELP assessment score to resolve the student's EL status.
    b. **No**: Continue.
3. Did the student exit EL status in Oregon in any prior year AND receive substantial instruction delivered primarily in English in all subsequent years?
    a. **Yes to both**: The student exited EL status in Oregon and does not need to reconfirm their proficiency.
    b. **No to either**: Continue.
        i. A student who exited EL status in the past, but who has not received substantial instruction in English for one or more full school years, may once again need language services to meet increasing academic demands upon their return to an environment where instruction is delivered primarily in English.
4. All questions have been answered No. The student's EL status is therefore unknown. Consult or complete the LUS, screen if indicated, and use any Screener results to resolve the student's EL status.

If monitoring reveals the presence of a persistent language barrier, administer the ELPA Screener. A Proficient result means the student is not eligible for EL status. Any other result means the student reenters EL status *with parent consent*. The parent/guardian must consent to any such reentry, regardless of the Screener result (2015 Dear Colleague Letter, page 34). Note that this federal guidance applies to all monitoring of students who have exited EL status.

If a district administers the ELPA Screener in good faith to meet federal identification timelines, and student records arrive later that contradict the result of that test, use the most recently administered Oregon test result to make a final determination about the student's EL status.

- Example: A student enrolls from another state, but records are not available within federal identification timelines. The LUS indicates that the ELPA Screener should be administered, and the student subsequently scores Proficient. The ELPA Screener result is used to determine the student's EL status in Oregon, even if records indicating the student has EL status later arrive from the student's state of origin.

Reporting EL status

- Students whose EL start date is in a **prior school year** will be reported as:
    - 1-B (continuing in EL program - if served by EL instructional program) with EL start date from state of origin
    - 4-N (if parents have signed a waiver for EL instructional program participation) with EL start date from state of origin

    - Both of these record type codes will have ELPA summative test codes (06, 09, or 10) whichever is the most appropriate ELPA assessment for the student.
- Students whose EL start date is in the **same school year** will be reported as:
    - 1-A (identified in the current school year - if served by the EL instructional program) with EL start date in the current school year. **OR**
    - 4-N (identified in the current school year - if parents/guardians have signed a waiver for EL instructional program)
    - Both of these record type codes will have:
        - The proficiency test code will be code 11 (Identified as an EL in another state this school year),
        - The proficiency test administration date will match the EL start date.
        - The domain scores will be blank
- Students having an EL exit date within the previous four school years will be reported as:
    - 5-M (monitored)
    - Select the program models based on the number of years since the exit date.
- Students having an EL exit date more than four school years prior are reported as:
    - 5F – Former EL
    - Former EL is selected for program models.

Districts should reach out to their Title III contact for guidance on reporting students in EL data collections.

Erroneous Testing

If a student is tested in error, the District Test Coordinator (DTC) should submit a test impropriety report. Examples of erroneous testing related to this guidance include but are not limited to:

- Screening a student when a valid Screener, Summative, or Alt ELPA result from the current or previous school year was already available.
- Screening a student when records indicating the student's EL status were already available.
- Screening a student due to internal miscommunication.
    - For instance, the district may have established a short waiting period to give records time to arrive (note that this waiting period cannot exceed federal identification timelines).

If the erroneous testing occurred because the student's EL status was already known, the test will be Invalidated and the student's known EL status will be used. Otherwise, appropriate action will depend on the nature of the error and should become clear during the impropriety resolution.

Students with Disabilities: Domain Exemptions and Identification

Section I: Choosing Domain Exemptions

This document defines and explains the purpose of domain exemptions, which are a type of testing accommodation on the English Language Proficiency Assessment (ELPA). The information in this section applies to all tests in the ELPA suite: Alt ELPA, ELPA Screener, and ELPA Summative (including remote versions, for tests which have them).

Definitions—ESEA Section 8101(20)

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.

Students who are determined to qualify for English learner (EL) status have been identified as needing English language development services to experience the benefits listed in D.i-iii above. With appropriate instruction and assessment, students with EL status should be prepared to experience the listed benefits. Inappropriate instruction or assessment, or premature exit from EL status, may deny the student these benefits.

Students with an Individualized Education Plan

"Children with disabilities" or "students with disabilities" means children or students evaluated in accordance with OAR 581-015-2080 through 581-015-2125 as having autism spectrum disorder; speech or language impairment; deafblindness; developmental delay; emotional behavior disability; deaf or hard of hearing; intellectual disability; orthopedic impairment; other health impairment; specific learning disability; traumatic brain injury; or visual impairment, including blindness, and who, by reason thereof, need special education and related services.

Students with a 504 Plan

Under Section 504, an individual with a disability (also referred to as a *student with a disability* in the elementary and secondary education context) is defined as a person who: (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

The determination of whether a student has a physical or mental impairment that substantially limits a major life activity (and therefore has a disability) must be made on a case-by-case basis. In addition, when determining if someone meets the definition of a disability, the definition must be understood to provide broad coverage of individuals.

Domain Exemptions

The ELPA Summative and Screener assessments measure a student's proficiency with the English language in four domains: Speaking, Listening, Reading, and Writing. For some students, the impact of a disability precludes assessment or instruction in the domain (e.g., no amount of Listening instruction will cause a deaf student to regain their hearing). As an accommodation, such domains may be "exempted" (excluded from testing).

Federal guidance allows exemption from up to three domains. This decision is made by the student's IEP or 504 team, not an individual, and must be documented in the student's IEP or 504 plan. Joint guidance from USED and DOJ (2015) indicates that "it is important for members of the IEP team to include professionals with training, and preferably expertise, in second language acquisition and an understanding of how to differentiate between the student's limited English proficiency and the student's disability" (p. 26-27).

The score resulting from a test administered with domain exemptions is valid, meaning that it is usable for instructional and exiting decisions and counts as participation in Title I-A and Title III. More information about domain exemptions can be found in the Test Administration Manual (TAM) and the Oregon Accessibility Manual (OAM).

Tests in the ELPA Suite

The decision to exempt a domain is not identical for all ELPA tests. See below for key points regarding the various ELPA tests to keep in mind while reading this guidance.

Alt ELPA

- Items and performance expectations are based on modified content standards and therefore differ significantly from items and performance expectations found in ELPA Screener and Summative.
- Individually administered.
- Navigation assistance and preferred student communication mode allowable for all domains.
- Speaking and Writing domains scored on site by Test Administrator familiar with the student's mode of communication.
- Test Administrator may not administer the test or end the test early if indicated by the Student Response Check and Early Stop Rule.
    - The Alt ELPA User Guide has more information. The Alt ELPA Decision Making

Resource has additional information regarding eligibility criteria for the Alt ELPA.

ELPA Screener

- Always begins with individual administration.
- Can be administered on short notice, due to federal identification timelines.
- Opportunity for Test Administrator to signal non-participation prior to the first item of the test.
    - In cases of non-participation, the student score report indicates an overall result of "Proficiency Not Determined" and the student enters EL status.
- Decisions about testing supports (including but not limited to domain exemption) may need to be made before there is sufficient information or opportunity to convene an IEP or 504 team.
    - Consult the ELPA Screener Administration Manual, particularly Section 3.3, for more information.

ELPA Summative

- Individual administration not required.
- Remote version available.

Domain Exemption Criteria for English Learners with Disabilities

Key Considerations

Districts are expected to annually assess the English proficiency of all students who are English learners. As mentioned above, when the English learner also experiences a disability that precludes assessment in one or more domains on the ELPA, taking into account all available accommodations and supports, the student's IEP or 504 team can exempt them from participating in those domains.

Decisions on exemptions from individual domains are made on a case-by-case basis by the appropriate team (i.e., the child's IEP or 504 team). It is highly recommended that the IEP or 504 team include staff with expertise in English language development and service provision, preferably educators who work directly with the student in question.

Regulatory Authority

Under 34 C.F.R. §200.6(h)(4)(ii), if it is determined on an individualized basis that a student with EL status has a disability that precludes assessment in one or more domains of the ELPA (Speaking, Listening, Reading and Writing), taking into account all available accommodations and supports, an LEA must assess the child's English language proficiency based on the remaining domains in which it is possible to assess the student (Addendum to FAQ).

"Precluded" means that assessment in the given domain is impossible, regardless of available accommodations or supports. The guidance cited above indicates that only in very rare circumstances would it be truly impossible to assess a student in a domain (e.g. a completely non-verbal student cannot be assessed in Speaking, as they do not communicate by means of audible speech).

Differences among ELPA tests—particularly the Alt ELPA—will affect what is possible or

impossible to assess for a given student. All decisions regarding a potential domain exemption should clearly establish to which test or tests the domain exemption will apply.

ODE encourages IEP or 504 teams to consult the ELPA Test Specifications for descriptions of the categories and content of items found in each domain. For example, Reading items on the general ELPA Summative require interaction with printed or displayed text through the senses of sight or touch (although audio support may be present for items in lower grade bands). IEP or 504 teams can also consult ELPA sample tests to get an idea of the type and format of items students will encounter on the Alt ELPA, ELPA Screener, and/or ELPA Summative. Note that sample tests demonstrate interaction types and item formats, but do not preview the full range of difficulty that students may encounter over the course of the test.

The Braille version of the ELPA Summative and Screener assessments features item types not present in the online ELPA sample test. ODE does not publish the item types and formats found on the Braille version of the ELPA for reasons of test security. Only some of the items in the Braille versions of the Summative and Screener require Braille literacy; for example, the Braille version does not rely on pictures to convey key information to students. The ELPA Braille Version Information Sheet and directions for administration accompanying the test specify in which domains Braille literacy is required. IEP or 504 teams should obtain a copy of the Braille ELPA prior to making exemption decisions for a student with a significant visual impairment.

IEP or 504 teams should also review the Oregon Accessibility Manual to determine whether any of the universal tools, designated supports, or accommodations contained in the manual may allow the student to meaningfully interact with the domain prior to making any decision on student participation. Remember that accessibility supports chosen for any state assessment should mirror those being provided during instruction.

Considerations for IEP or 504 team discussion

IEP and 504 teams should consult all available data regarding the student's progress when answering the following questions.

Listening

- What are the student's receptive language abilities?
- What receptive communication modes does the student use?
- In which modes does the student respond to auditory content?
- If the student requires communication technology to complete Listening tasks, is that technology allowable on the ELPA?

Reading

- How does the student access text?
- What alternate formats does the student need to access text from various sources?
- If the student requires an alternate format to complete Reading tasks, is that alternate format allowable on the ELPA?

Speaking

- What are the student's expressive language abilities?
- What expressive communication modes does the student use?
- If the student requires communication technology to complete Speaking tasks, is that

technology allowable on the ELPA?

Writing

- How does the student produce text?
- What alternate formats does the student use to produce text?
- If the student requires an alternate format to complete Writing tasks, is that alternate format allowable on the ELPA?

Eligibility for Domain Exemption

A domain exemption is appropriate when a student with English learner status meets all the following criteria:

1. The student has a disability, as defined in OAR 581-015-2000 or OAR 581-015-2390;
2. The student has an IEP or 504 Plan in effect; and
3. The student's IEP or 504 team determines that the impact of a disability experienced by the student precludes *any* measurement of the student's English proficiency in one or more domains, taking into consideration all other allowable supports and accommodations available on the assessment.
    a. "Precludes" means that measurement is impossible. It is not appropriate to exempt domains where the student's ability is measurable, even if student performance falls short of their expected potential.

The student must meet the above criteria for each domain to be exempted. Domain exemption decisions must be documented in the student's IEP or 504 plan prior to beginning the test.

Students identified as English learners are required to participate in at least one domain as outlined in Executive Numbered Memo 001-2014-15 English Learner Students with Disabilities.

Examples by Domain

The following examples are illustrations only. Remember that the ELPA is a language test, which means that inability to perform a skill *in English* is not an appropriate criterion for exempting a domain, particularly if the student can perform skills in the same domain in another language.

Reading

Braille

Situation	Recommendation
Student is blind, reads Braille at or near grade level.	No exemption. Activate Braille accommodation.
Student is blind, has partial knowledge of Braille.	IEP or 504 team must decide whether the student's expertise with Braille precludes measurement in the Reading domain, taking into account available accessibility supports.
Student is blind, has no knowledge of Braille.	Exempt Reading domain. Depending on the impact of the disability, it may be appropriate to exempt Writing as well.

The IEP or 504 team should review information on the Braille version of the test before making a final decision on domain exemptions for a student with significant visual impairment.

Text-to-speech

Situation	Recommendation
Student prefers to use text-to-speech (TTS) when interacting with printed text. Student can also read by sight in all settings, despite the impact of their disability.	No exemption.
Student uses TTS when interacting with printed text. Student can read by sight, but only in some settings, under some conditions, or for limited periods of time.	IEP or 504 team must decide whether the impact of the student's disability precludes measurement in the Reading domain, taking into account available accessibility supports.
Student uses TTS exclusively when interacting with printed text. Student does not read by sight in any setting and has no knowledge of Braille.	Exempt Reading domain. Depending on the impact of the disability, it may be appropriate to exempt Writing as well.

Writing

Situation	Recommendation
Student has a cognitive or physical disability which makes writing difficult and laborious.	No exemption. Accessibility supports such as adaptive technology or scribe may be appropriate for this student.
Student has a cognitive or physical disability which impedes expression of ideas in writing, even if those ideas can be expressed via some other mode of communication.	IEP or 504 team must decide whether the impact of the student's disability precludes measurement in the Writing domain, taking into account available accessibility supports.
Student has a cognitive or physical disability which prevents expression of ideas in writing entirely, in English or any other language, even with available accessibility supports such as adaptive technology or scribe.	Exempt Writing domain.

Listening

Situation	Recommendation
Student is hard of hearing, uses amplification device.	No exemption. Activate amplification device accommodation.
Student is very hard of hearing, has trouble understanding speech even with amplification devices.	IEP or 504 team must decide whether the student's difficulties in hearing are so extensive as to preclude measurement in the Listening domain, taking into account available accessibility supports.
Student is entirely deaf.	Exempt Listening domain. For this student, a Speaking exemption may also be appropriate.

Speaking

Situation	Recommendation
Student has an articulation disorder or physical malformation which distorts their speech. Speech is comprehensible to sympathetic listeners or in a	No exemption.

quiet environment.	
Student has an articulation disorder or physical malformation which renders their speech difficult to understand, even for a sympathetic listener.	IEP or 504 team must determine whether the student's articulation difficulties impede comprehension to such a degree as to preclude measurement in the Speaking domain, taking into account available accessibility supports.
Student has an articulation disorder or physical malformation which renders their speech impossible to understand, even for a sympathetic listener.	Exempt Speaking domain.

Domain Exemption Monitoring by ODE

The Test Administration Manual Section 10.1 indicates that all domain exemption decisions are subject to monitoring by ODE. Monitoring actions by ODE could include:

- Signaling possibly inappropriate domain exemptions.
- Request a rationale and documentation establishing the appropriateness of a domain exemption.
- Notifying districts of concerning patterns of domain exemption.
- Establishing system safeguards to prevent activation of inappropriate domain exemptions.

Section II: Addressing Domain Exemption Errors During Testing

Information in this section expands upon the brief domain exemption instructions found in Section 10.0 of the Test Administration Manual. Information in Section II was written with the ELPA Summative and Alt ELPA in mind, even if some elements here are also true of the ELPA Screener.

Entering Domain Exemptions

Domain exemptions are activated in the testing system through the Test Information Distribution Engine, or TIDE. District personnel with the necessary permissions can access TIDE via the OSAS Testing Portal. The TIDE User Guide contains specific instructions on how to operate domain exemption tool in TIDE.

District personnel may update domain exemptions at any time for domain tests that have not yet been opened.

- Domain exemption changes will immediately affect which tests a student can see in their test lineup.
- A student's scoring profile incorporates new domain exemptions the next time a student interacts with any domain test. If the student does not return to the test after a domain exemption change is made, *the scoring system will not take the change into account*.

Updating or Correcting Domain Exemptions

ODE recommends that where feasible, districts enter domain exemptions prior to the opening of the ELPA Summative window. Districts must contact ODE (via the test impropriety or

irregularity report form) to change domain exemption settings for a domain test that has already been opened, or when the student will not return to any ELPA domain test.

Use the following process to update or correct domain exemptions during the ELPA test window:

- Has the student opened a test for the domain that needs a corrected or updated exemption?
    - Yes: Submit a test impropriety report to ODE.
    - No: Continue.
- Will the student return to at least one domain test before the close of the ELPA test window?
    - Yes: Stop here. Returning to at least one domain test ensures the domain exemption update will take effect for scoring.
    - No: Submit a test impropriety report to ODE.

Correcting domain exemptions will never require a student to retest. Existing student work will be preserved while errors are corrected. Students may continue to test on domains unrelated to the domain that needs updated exemption settings.

There are two deadlines for adjusting domain exemptions.

- Changes that require a student to complete additional testing (such as removing an existing domain exemption) must be carried out **prior to the close of the ELPA test window**.
- Changes that require no additional testing (such as exempting a domain that a student mistakenly opened) can be carried out **any time prior to the ELPA Summative / Alt ELPA test status change deadline**.
    - It is possible to remove domains from a completed or even a reported test. However, note that IEP updates are not retroactive. IEP domain exemption decisions only apply to ELPA tests opened *after* the IEP has been updated.
    - The TAM lists each year's test status change deadlines for all tests.

Section III: EL Identification and Students Experiencing Disability

Delaying Screening for Reasons of Disability

For some students, the Language Use Survey may indicate that ELP screening is necessary, but districts may believe that appropriate ELP screening cannot be arranged within federal identification timelines due to the suspected presence of a disability. With a longer timeline, the district could develop a better understanding of the student's disability profile, arrange for provision of specialized accessibility supports, or allow the student time to establish relationships with adults in the district.

In such situations, screening may be delayed until the special education identification process has completed (including creation of an IEP or 504 plan if found appropriate for the student). Once the special education identification process has concluded, the EL identification process must also move forward, including administration of an ELP screener.

If the student needs to be reported to an EL data collection before screening is complete, the district uses the code 2J to report this student in the data collection. The special education identification process, and subsequent EL identification process, should conclude before the next EL data collection.

Contacts and Resources

Resources

- Test Administration Manual Oregon Department of Education
- Oregon Accessibility Manual Oregon Department of Education
- The English Language Proficiency Assessment page, at the Oregon Department of Education. This page includes resources such as test specifications, proficiency descriptors, and translated parent-facing resources for Early Proficient.
- Guidance and Research, at the Oregon Department of Education. This page includes resources such as the EL Program Guide, Newcomer Toolkit, and Civil Rights guidance.
- English Learner Tool Kit In particular, consult chapter 6: Tools and Resources for Addressing English learners with Disabilities
- Section 504 Handbook Oregon Department of Education

Contacts

For questions regarding…	Please contact…
ELPA testing	Ben Wolcott, ELPA Specialist
English learner status and the EL data collection	Kim Miller, Title III Specialist
Private school equitable services and consultation	Janette Newton, Private School Ombudsman
Official ODE data applications (including retrieving score reports)	Your Regional ESD Partner