



Massachusetts Department of Elementary and Secondary Education

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Jeffrey C. Riley
Commissioner

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VIA ELECTRONIC MAIL

Helen Solorzano
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MATSOL Executive Director

Phyllis Hardy
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MABE Executive Director

Dear Ms. Solorzano and Ms. Hardy:

I have recently received your request to suspend ACCESS for ELLs testing this school year for students who are English learners (ELs) in Massachusetts and I have noted your concerns carefully. As you know, the decision to waive statewide testing must be made by both the U. S. Department of Education and the State Legislature, since these tests are required by both state and federal laws. *See e.g.*, G.L. c. 71A, § 7; 20 U.S.C. § 6311; 34 C.F.R. § 200.6(h). The U.S. Department of Education has indicated that they do not anticipate granting any assessment waivers this school year, in recognition of the adverse consequences to students and schools for *not* assessing and reporting students' levels of knowledge and skills during the pandemic. Additionally, public health experts acknowledge that schools are among the safest environments for children, so the plan is to assess EL students in the schools they normally attend, following proper health and safety protocols.

I understand that school buildings will need to be cleaned and prepared, staff recruited and trained, test sessions scheduled, transportation arranged, and school-based devices brought in for use during testing. Schools that are not able to address these issues by the scheduled start date for testing (January 7, 2021) will still have ample time to do so. Earlier this month, I extended the ACCESS testing window for Massachusetts schools until May 20, 2021, a total of four-and-a-half months in which to complete the testing. School officials have discretion to determine when their students will be tested during this period, depending on local conditions. While the extended testing window will push back the reporting of ACCESS results until the summer, it will allow a greater number of students to participate in testing safely and without disruption.

Closing the achievement gap for EL students is among my chief concerns and I have urged districts to prioritize these students to receive as much in-person instruction as possible. The ACCESS test is vital so that educators and parents know whether EL students have lost ground, remained steady, or advanced in their levels of English proficiency. It is a key to determining the language and

academic services students need to become English language proficient, and whether they qualify to be reclassified as former ELs. While additional standardized language assessments may be given to ELs at districts' discretion, those tests may not be used to reclassify students as non-EL, nor for the specific reporting of language proficiency and progress required by law.

The Department of Elementary and Secondary Education (DESE) has been in communication with districts regarding the specific steps they should undertake to prepare for testing, according to guidelines provided by WIDA and posted to the DESE website (at www.doe.mass.edu/mcas/access). Training is ongoing for ACCESS test coordinators, test administrators, and English learner program directors. I have encouraged districts to consolidate the number of sessions for the four domain tests where possible to minimize the number of days on which students will take the tests, whether they currently receive remote or in-person instruction. While the required testing will reduce some instructional time, as always, good planning can lessen that impact and the testing benefits the students' education.

Although no opt-out provision exists for statewide testing, I believe parents will make the best decisions in the interest of their children regarding whether to send them to school for this important activity. I also believe districts should make concerted efforts to explain to parents the benefits of ACCESS testing as well as the health and safety protocols that their children's school has in place.

DESE will continue to monitor conditions in Massachusetts schools and communities and explore whether further actions are needed. We appreciate your advocacy on this matter and look forward to working with you on this and other issues of mutual concern. DESE remains committed to addressing the gaps and strengthening education for English learners and all of our students. We will keep you informed of further developments.

Sincerely,



Jeffrey C. Riley
Commissioner of Elementary and Secondary Education

C: Paul Aguiar, Director, Office of Language Acquisition
Heather Peske, Senior Associate Commissioner, Center for Instructional Support
Michol Stapel, Associate Commissioner for Student Assessment
Daniel Wiener, Administrator of Inclusive Assessment