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Testing has become a central concern for educators concerned with English language learners (ELLs) in U.S. public schools. The development of the policies and practices surrounding the use of test accommodations, or changes to the test response, administration, or test itself (Abedi, 2008), for this population have been and continue to be influenced by multiple complicating forces. These factors include but are not exclusively restricted to language and testing policies, national educational policy and discourses in addition to students with disabilities research and policy. This paper, therefore, aims to identify and clarify some critical issues that surround the practice of test accommodations for ELLs as seen through a language planning and policy lens. This approach of framing test accommodations as a form of language policy brings into relief the myriad of language-specific factors, such as framing language diversity from a deficit perspective, that surround testing accommodations.

Introduction

Language planning and policy is linked by many researchers to tests. Shohamy (2001b, 2003, 2006) and Menken (2008) argue that tests create de facto or implicit, non-stated language policies where the language of the test, be it a citizenship or classroom assessment, adds to the prestige of that language. However, with respect to the U.S. context, there are educational policies in relation to language use and assessment that further complicate the situation. In kindergarten-12th grade testing, federal policies make provisions to allow changes to tests and test administration for English language learners (ELLs). Although the purpose of this policy is to meet the needs of ELLs through inclusion in accountability systems, there are several critical issues surrounding the policy, research and practices of test accommodations in relation to ELLs that are directly related to language planning and policy (LPP). To investigate the intersection of test accommodations and LPP, I first define accommodations from a testing perspective and relate accommodations to LPP. This is followed by a more descriptive analysis of the socio-historical development of test accommodations; in particular the implications of associating accommodations with equity in education. I then draw from official public discourses of the Bush administration to identify ideological and

political motivations for accommodations and synthesize the current state of test accommodation research for ELLs with the roles and responsibilities that researchers have in shaping policy. Combined, these issues point to test accommodations as a heavily flawed policy, but one with room for new directions. Therefore, I conclude by arguing for research and policy to take a position, which ultimately could be used to re-position ELLs from subtractive models, or a language-as-a-problem orientation (Ruiz, 2002) to one that characterizes ELLs more appropriately, as Ofelia García (2008) has suggested, as emergent bilinguals.

Policies and definitions overview

What are test accommodations?

Federal policy makers took on the task in 2001 to expand the Elementary and Secondary Education Act (ESEA) to include all students in all states in high-stakes content tests (e.g., reading and math) to address concerns about academic achievement among students of different ethnicities, socioeconomic statuses, language backgrounds, disabilities and sexes. The resulting bi-partisan policy, *No Child Left Behind Act of 2001* (NCLB; Public Law No. 107-110, 115 Stat. 1425, 2002), mandated the inclusion of all students in annual testing with the goal of 100% of students reaching grade level proficiency by 2014. To ensure that students from underperforming groups made academic gains, NCLB mandates reporting of test scores by disaggregated subgroups based on the aforementioned categories. Two of the groups, ELLs, who are also referred to as limited English proficient (LEP) students, and students with disabilities have additional challenges that could affect their test performance. To address their language proficiency in English or disability, policy makers made provisions to provide test accommodations. However, this is not the first federal policy for test accommodations. Previous policies were first mandated in 1973 for students with disabilities, and later in 1994 for ELLs. These previous policies for students with disabilities are important for ELLs, as there is much overlap between policy and research on accommodations for both populations.

These policies position accommodations as a tool that levels the playing field for ELLs' and students with disabilities' test performances *vis-à-vis* populations for whom the tests were originally designed. By using test accommodations, a student is supposed show their knowledge in a specific content area (e.g., math, reading, science) rather than their language proficiency or disability. Accommodations provide *changes* in the test and/or administration process. Table 1 shows some examples of common test accommodations for ELLs in relation to changes in the test process, the test itself and test response. Currently, research on the effectiveness of accommodations in improving test performances for ELLs, while not affecting the test construct, remains inconclusive (Abedi, 2008; Francis, Rivera, Lesaux, Kieffer, & Rivera, 2006; Koenig & Bachman, 2004; Rivera & Collum, 2006).

Table 1

What test accommodation change

Changes in...	Example
Test process	Time of day Breaks
Test itself	Setting: small group Linguistic simplification Native language assessment
Test response	Dictation Translation

Sources: Abedi, 2008; Rivera & Collum, 2006

Looking specifically at this mandate in relation to ELLs, test accommodations are available for all ELLs on high-stakes, content area tests. In addition, accommodations are available for ELLs with disabilities on the annual English language proficiency tests. Many states, such as Pennsylvania, also stipulate that the accommodation(s) should be used in classroom assessments as well so that the student is familiar with using the accommodation (Pennsylvania Department of Education, 2009). In addition, both the U.S. Department of Education and the state education agency must approve the test accommodations used. Although ELLs are exempted from the reading test during their first year in U.S. public schools, they must participate in math assessments, and since the 2007-8 school year, science tests. District and school administrators in conjunction with teachers, parents and occasionally students decide which accommodation(s) are appropriate for each ELL. Presently, the use of these accommodations does not need to be reported to the district, state or federal agencies, though many schools maintain records.

Unfortunately, the policies surrounding test accommodations in NCLB are further complicated due to a lack of clear planning by policy makers. The expanded provisions for accommodations were an ad hoc addition to the policy. *ABC News* has reported that “[s]tudents learning English and those with disabilities were an afterthought when the No Child Left Behind law was being written, according to those involved” (Zuckerbrod, 2007). However, this is just one aspect in terms of critical issues that surround the policies of test accommodations and ELLs. Using an LPP lens, I clarify and complex-ify the issue further.

Conceptual Underpinnings

How do concepts from language planning and policy aid in clarifying the potential impact of test accommodations for ELLs?

Language planning and policy is traditionally discussed in terms of corpus and status planning (Haugen, 1966). Cooper (1989) added acquisition planning, which discusses LPP in relation to language learning. This framework addresses language planning about language, the use of language or the users of language. Interpreting test accommodations within this traditional framework is complex

because this policy can be seen as pertaining to all three: corpus, in that a language variety needs to be chosen for the test and accommodation; status, in that only a limited number of languages will be chosen; and acquisition, in that the language of the test will affect the medium (and manner) of instruction. To understand the nuances of the policies of test accommodations that currently exist as an explicit educational policy as well as an implicit language policy, I draw from the work of Spolsky (2004), Shohamy (2001b, 2003, 2006) and Menken (2008) to frame test accommodations as a mechanism of *de facto language policy*.

De facto language policies are implicit, non-stated policies that are realized in practice (Shohamy, 2006). Spolsky (2004) separates de facto language policy into three components of language policy: language beliefs, practices and management (Table 2). These components inform a conceptualization of accommodations as a mechanism or practice that helps to develop or maintain de facto language policy.

Table 2
Components of (de facto) language policy

Language beliefs	Ideologies
Language practices	Ecology of language; use by individuals
Language management	Specific actions to affect behavior

Source: Spolsky (2004)

Shohamy (2006) uses Spolsky’s (2004) components to inform her conceptualization of the relationship between de facto language policies and mechanisms. Shohamy situates mechanisms (e.g., language education, tests, language in the public space) between ideologies, or Spolsky’s language beliefs, and practice, and argues that they contribute to the construction of de facto language policies. In the case of language tests, the mechanism itself can become the de facto policy (Shohamy 2001b; 2003; 2006, Menken, 2008). For an investigation of test accommodations, I foreground the hidden-ness of mechanisms. Shohamy argues that mechanisms are “...widely used legitimate devices...that people are not aware of...as powerful tools capable of influencing language behavior and practice” (2006, p. 55) What is most powerful about Shohamy’s definition of mechanisms is connected to two different ideas introduced in the quote above. First, that the mechanisms are perceived as legitimate devices and second that people are largely unaware of them operating in reference to LPP. These legitimate devices are used under the guise of helping ELLs. Thus decision makers, including public officials and researchers, may not be aware of or may even ignore the negative ramifications connected to their use. This presentation of accommodations as beneficial for ELLs, as policy that levels the playing field, functions as a mechanism that adds to the legitimacy and power of accommodations. This can be seen as a connection to status planning in that the legitimacy and power accorded to accommodations is also linked to the perceived and imagined effects of accommodations. To understand how test accommodations impact ELLs, I briefly move away from LPP to a related perspective from assessment.

Messick (1989, 1994, 1996) expanded on the definition of validity in testing through his work on use-oriented approaches to test design. This perspective sees tests and test results as practices that are linked to psychological, social and politi-

cal variables that interact with ethics, socioeconomic status, politics, teaching and learning. Messick emphasizes the power of tests, stating that, “they [tests] are not just measurement principles, they are *social values* that have meaning and force outside of measurement wherever evaluative judgments and decisions are made” (1994, p. 13, emphasis in original). Thus, the practices of testing and the potential impact of testing have ramifications both inside and outside the classroom, especially in terms of access.

These definitions about the potential impact of tests on language practices become particularly relevant in the U.S. where there is no explicit official language policy. Due to this lack of an official language policy or planning institution, interpretations and implementations of case laws and educational policies have become the planning side of LPP (Crawford, 1998; Spolsky, 2004). Therefore, I align myself with Menken’s (2008) conclusions about the absence of planning in LPP in relation to testing in U.S. public schools more generally, and with test accommodations specifically. Rather, de facto policies from testing create ad hoc complicated policies at multiple levels of interaction, interpretation and implementation. A look at the historical development of policies on accommodations highlights this ad hoc language planning.

Socio-historical Development

How and why have test accommodations come into use for ELLs?

To document the development of test accommodation policies, I take an approach that incorporates chronological organization of policies and case laws in relation to accommodations for ELLs and, to a lesser extent, students with disabilities. However, this development is also marked by a larger change in discourses about the role of testing in education. Leung and Rea-Dickens (2007) have discussed how access to testing is now synonymous with notions of equity in education. In reference to ELLs, the definition of equity in education has changed from the late 1960s from one that focuses on meeting the linguistic needs of learners to inclusion in accountability systems. Although not a complete history, I review relevant federal policies and case laws, first for ELLs, then for students with disabilities. Then, I look at how policies and laws lead to the use of test accommodations for ELLs and conclude by discussing the relationship between the policies and intended practices of test accommodations for both students with disabilities and ELLs.

The policies concerning bilingual education for ELLs developed within a political climate that began to move in a new direction that can be characterized as more inclusive and advocating for the rights of previously marginalized groups. The Civil Rights Movement marked this transition to the possibility for the creation of more tolerant policies for diverse populations. The *Civil Rights Act of 1964* was the first national law to prohibit discrimination on the basis of race, sex or national origin (Crawford, 2008). In 1965, amendments to the *Immigration and Naturalization Act* (Hart-Celler Act, INS Act of 1965, Pub.L. 89-236) eliminated quotas in place since 1924, thereby opening U.S. borders to immigrants from across the globe (Wright, 2005).

These initiatives were soon followed by a National Education Association (NEA) conference about the reported nine-year education gap between Mexican and White Americans (Moran, 1988; Wright, 2005). Following the conference, Senator Ralph Yarborough, an invited attendee, became the chief sponsor of S. 428, an amendment to the *Elementary and Secondary Education Act of 1965* (ESEA) better known as Title VII, the *Bilingual Education Act* (BEA). The BEA introduced new perspectives in educational policy, changing pedagogical approaches to meet the needs of ELLs (Crawford, 1998, 2002). Although innovative in many ways, the BEA followed the trends of changing orientations in educational policy set by the ESEA, which challenged and questioned state and local education agency decisions, ultimately giving more control to federal education policies (Crawford, 1998; Moran, 1988). During the Congressional hearings for the BEA, Senator Ralph Yarborough, the bill's chief sponsor, made this explicit when he pointed out the faults of the states to meet the needs of ELLs by stating that, "[w]e [Texans] have been doing less to see that our Spanish surnamed citizens got a fair education" (Congressional Record, 1967, p. 325).

The reauthorizations of the BEA in 1974 and 1978 opened the door for more initiatives to provide an equitable education for ELLs through additive bilingual programs. Provisions were also made within local courts and reaching even the U.S. Supreme Court, whose 1974 *Lau v. Nichols* ruling clarified that providing ELLs with the same instruction that is afforded to non-ELLs does not constitute fair or equitable education; this court decision was given additional impetus by the U.S. Office of Civil Rights' Lau Remedies in 1975. Although in the 1980s there was less support overall for bilingual education, testing or assessment remained outside the policy discourses. In the 1990s, with the passage of legislation to ban bilingual education via Propositions 227 and 203 in California and Arizona respectively and Question 2 in Massachusetts, equity was re-defined as giving access to the dominant language (Crawford, 2002; Wright, 2005). This motivation for English-only education is often used in conjunction with other gate-keeping policies, such as testing. In 1994 the reauthorization of ESEA placed testing of ELLs into the spotlight, mandating the inclusion of ELLs in state assessments. However in response, many state education agencies created policies aimed at exempting ELLs from these tests (Rivera & Collum, 2006).

Although testing was not explicitly a part of the BEA, other education policies made ELLs subject to aptitude or IQ (intelligence quotient) tests (see August & Hakuta, 1997). These tests influence the designation of learners in gifted or special needs programs. Here equity in education interacted with (a) fair use of IQ tests for ELLs and (b) provisions of special needs services as appropriate, both of which dealt with meeting the needs of ELLs by addressing cognitive and linguistic needs. In the late 1960s, many ELLs took these IQ tests, which were administered in English, and were over-classified as having a disability. These test results were challenged in multiple court cases (e.g., *Arreola v. Santa Ana Board of Education*, 1968; *Diana v. State Board of Education* 1970; and *Covarrubias v. San Diego Unified School District*, 1971, as cited in Baca & Cervantes, 1998). The rulings from *Diana* added visually based (as opposed to verbally based) assessments and stipulated that schools needed to collect data from multiple sources rather than relying heavily on one test score. However, the reaction to this ruling created the reverse problem: few, if any, bilingual students were being identified as special needs.

To address this under-representation, two cases in 1979 advocated for bilingual students with special needs who were being denied services: *Jose P. v. Amback* and *Dyrcia S. et al. v. Board of the City of New York et al.* These cases clarified the process for identifying bilingual special education students and established clear criteria such as bilingual evaluations to determine the placement of ELLs in special needs programs (Baca & Cervantes, 1998).

This summary shows some of the complexities of the policies and court cases that address equity in education for ELLs. The co-occurring events in relation to bilingual education and testing of ELLs highlight the multiple factors that have influenced policy. In relation to students with disabilities, testing and accommodations have played a much more prominent role in policy. Reflecting on the history of the policies that define equity in education for students with disabilities as inclusion in accountability systems provides insight as to some long-term implications of accommodations.

The importance of testing in reference to educational equity for students with disabilities entered the dialogue in 1973. The passage of Section 504 under the Rehabilitation Act aimed to have schools include students with disabilities in high-stakes testing situations via test accommodations (Richards, 2003). This is the first federal level policy mandating the use of test accommodations. However, many states continued to exempt students with disabilities. The Americans with Disabilities Act in 1990 and the reauthorization of the Individuals with Disabilities Education Act (IDEA) in 1997, mandated all states to report the scores of students with disabilities with provisions for test accommodations, which was repeated for ELLs with NCLB. Because many students with disabilities were performing, on average, lower than students without disabilities, test accommodation practices and research have expanded, though over 30 years later there remains no conclusive research or consensus on the effectiveness of accommodations for students with disabilities (Elliot & Roach, 2002; Thurlow & Bolt, 2001).

Bringing these policies and concepts together explains the policies of test accommodation for ELLs under the NCLB. NCLB is viewed by many as an intensified version of the 1994 ESEA policy (Rivera & Collum, 2006). The interaction of these histories of policies surrounding ELLs and students with disabilities brings into relief the different motivations that led to policies of test accommodation for ELLs. As discussed earlier, under NCLB ELLs are included in annual assessments, disallowing states to exempt ELLs in large numbers as they had with the 1994 reauthorization of ESEA. Therefore, the policies about test accommodations have also become commonplace. Many states, at a loss as to how to include ELLs in these assessments, applied the students with disabilities policies *directly* to ELLs. In fact, Rivera (2008) reports that currently 18 states do not distinguish their test accommodations policies for these two populations. This is especially problematic because as Abedi (2008) states, of the 73 test accommodations available for ELLs, only 11 or 15% are appropriate for ELLs. He further elaborates with the example that some ELLs receive the test accommodations of getting a test with larger print, the same test accommodation given to students with visual impairments.

In addition to the complications discussed through the socio-historical development of test accommodations for ELLs, the policy itself presents another, more explicit problem. As mentioned earlier, ELLs were an afterthought in the development of NCLB, and perhaps that is why the only overt test accommodations

policy in NCLB in Title I states that ELLs (referred to as limited English proficient students) should receive accommodations in accordance with policies for students with disabilities (e.g., IDEA).

...[S]tudents described in subparagraph (C)(v) [economically disadvantaged students; students from major racial and ethnic groups; students with disabilities; and students with limited English proficiency] ...are required to take the assessments, ...with accommodations, guidelines, and alternative assessments provided in the same manner as those provided under section 612(a)(17)(A) of the Individuals with Disabilities Education Act... (Public Law No. 107-110, 115 Stat. 1425 part A section 1 subpart 1111, 2002)

However, as problematic as the above policy may seem, there have been recent changes in research orientations that may point to a shift in discourses about providing accommodations for ELLs. The Center for Excellence and Equity in Education (CEEE) at George Washington University has published a document titled *Best Practices for Test Accommodations*, which includes the first system that specifically addresses the use of test accommodations for ELLs without influence from policies or practices for students with disabilities. This approach to assessing ELLs incorporates their linguistic needs while also including ELLs in standardized assessments. The matrix developed at the CEEE uses aspects of a student's background including language and literacy levels in multiple languages with prior schooling to determine which accommodation is most appropriate for each ELLs (Acosta, Rivera, & Shafer Willner, 2008). This marks the first step in the direction of recognizing and possibly promoting multilingualism in U.S. public schools.

This approach to accommodations that accounts for the ELLs' first language may have benefits for sustaining the first language while also helping the student learn English. However, additional guidelines may need to be enacted that allow the prolonged use of accommodations rather than the standard two to three years for ELLs. Research on bilingual education has found that it takes five to ten years for students to acquire full proficiency in English to achieve at high academic levels (Thomas & Collier, 2002). It is important to mention that the longer use of bilingual accommodations has been shown to be beneficial. Levin, Shohamy and Spolsky (2003 as cited in Shohamy, 2006b) illustrated how Russian immigrants continued to improve test scores using the accommodation of bilingual tests-Hebrew and Russian- for eight years. At year eight most of the Russian students performed equally well on the Hebrew-only and bilingual tests. These types of accommodations, however, may address flaws in the assessment itself.

The necessity of bilingual assessments may be more apparent when examining how often the language of the assessment (e.g., English) interferes with the ability of ELLs to demonstrate their knowledge of a concept. For example, Martiniello (2008) has shown that several linguistic variables can significantly affect the performance of ELLs on math assessments. Lexical (e.g., low frequency words, words used primarily at home, technical terms, polysemous words, terms unique to "mainstream" U.S. culture) and syntactic complexity (e.g., passive voice, multiple and embedded clauses, limited transparency) may cause a linguistic minority student to respond incorrectly to an item even when the student understands the

concept being tested. This is an issue of a flaw in the test that discriminates against a specific population of test takers, i.e., ELLs.

To identify such flaws, Martiniello (2008) conducted a differential item function analysis (DIF). This analysis compares members of two groups of test takers (e.g., linguistic minority students and non-linguistic minority students) who have the equivalent levels of proficiency on the construct that the test is intended to measure (Dorans & Holland, 1993). Martiniello's research shows through DIF analysis and think-aloud protocols that language irrelevant components of items interfered with test takers' interpretation of test items.

However, simply offering an accommodation in the first language may not be enough to promote a shift in orientations to support multilingualism. Shohamy (2006) argues that mechanisms (e.g., policies, tests, education, etc.) prevent many multilingual schools from entering into reality. Menken (2008) and Palmer and Wicktor Lynch (2008) have conducted ethnographic case studies showing that, even with the use and support of first language assessment, English language tests are privileged. Menken (2008) showed that, in reference to the New York Regents exam, students, teachers and administrators viewed the English test version as the most authentic assessment with the translated versions having some limited value because they also could be used for graduation. In a study of bilingualism in an elementary school in Texas, Palmer and Wicktor Lynch (2008) analyze teacher decisions about literacy instruction. They interview teachers in Texas about their language choices with Spanish/English bilingual students. The teachers stated that they gave students the "easy" Spanish assessment until they were able to transition to the "real" assessment in English. This disregard for achievements on assessments in languages other than English is also exemplified by Escamilla's (2006) analysis of U.S. testing policies and practices in Colorado. She describes that, although students in a Spanish bilingual program perform better, on average, on Spanish content assessments than their monolingual counterparts on English content assessments, the Spanish test scores are not counted toward the school ranking and thus have "zero impact" (2006, p. 194). Thus, another barrier to the use of accommodations to support multilingualism is the overwhelming prestige of English in education, not only as a medium of instruction, but also as the language of assessment.

This socio-historical overview discusses how ELLs' needs have been largely ignored in reference to test accommodations. Most notably, I want to emphasize the different periods when accommodations entered policy. At the same time as English-only education was being promoted (e.g., the English-only initiatives of the 1990s), so was the inclusion of ELLs in accountability systems. This differs from the first introduction of accommodations for students with disabilities two decades earlier, which was introduced on the heels of the civil rights movement of the late 1960s. Although both groups of students were included in testing in order to ensure that State education agencies were providing these students the same education as the rest of the student population, the implications are quite different. For students with disabilities, this inclusion also has some positive influence classroom practices. Although there is some debate about this subject, research has shown that inclusion in mainstream classes or "least restricted environments" has positive learning effects on students with disabilities (Crockett & Kaufman, 1999). Thus using accommoda-

tions to help students with disabilities reach the goals of a mainstream class and the effects, inclusion in mainstream classrooms, is on the whole positive. However, the situation is very different for ELLs.

For ELLs, the introduction of accommodations came at a time when many bilingual education programs were ending. In addition, the testing protocols put in place focused on achievement in an English-only environment. However, research has shown that ELLs benefit more in core content areas (e.g., math, reading, science) when they maintain their first language (Thomas & Collier, 2002). Thus the influence of policies that included ELLs in testing systems is largely negative due to this misalignment with research. This research and policy mismatch is echoed in test accommodations as well. Presently test accommodations available to the majority of ELLs are more suitable for students with disabilities. This deficit perspective views language as a problem (Ruiz, 2002) and complicates the appropriate use of assessments for ELLs. These issues combined demonstrate some of the critical concerns surrounding test accommodation policies for ELLs.

Although this socio-historical account allows for a more detailed examination of accommodations, my account lacks as yet the voices of the decision makers, the policy makers who promote and defend the use of test accommodations. Their public and official statements represent the present ideological and political motivations, how they are connected to this history and in which directions they are positing for the future.

Ideological and Political Motivations

How do official public discourses about test accommodations from the U.S. Department of Education index larger ideological orientations?

Analyzing current official public discourses about test accommodations demonstrates some ideological and political motivations underlying the policy. By examining how the U.S. Department of Education under the Bush administration presents and constructs test accommodations in relation to ELLs, I aim to gain a more nuanced understanding of the proposed implications of the policy from the federal perspective. In addition, the state and local education agencies must base their policies and practices from within the federal perspective and their decisions are also subject to approval by the federal government. Thus, the official discourses from the U.S. Department of Education are relevant to gaining an understanding of the ideological and political motivations that are produced at the federal level as they may ultimately come to bear in state and local contexts.

The following three passages come from the officials in the U.S. Department of Education. Official discussions on test accommodations are limited, as the primary focus of the discourses in relation to ELLs tends to center around test results. Although the lack of emphasis on accommodations marks this as a low priority, the U.S. Department of Education has funded several initiatives that specifically focus on accommodations for ELLs, including the LEP partnership, a meta-analysis of test accommodation research (see Francis et al., 2006) and

the creation of guidelines for assigning and administering accommodations for ELLs (Acosta, Rivera, & Shafer Willner, 2008). Thus, the U.S. Department of Education, through these initiatives, shows that test accommodations are not only an area of interest, but also one which is in need of research (see Francis et al., 2006). However, there is a paradox when looking at the official public discourses as they oversimplify the issues surrounding accommodations.

In this quote from U.S. Deputy Secretary of Education Raymond Simon, he identifies accommodations as a tool to allow schools to include ELLs in assessments and to maintain high standards:

The [Bush] Administration believes it is essential to maintain high expectations and standards for LEP students[ELLs], include them in NCLB assessments, with appropriate accommodations wherever possible, and move them quickly toward English language proficiency. (Simon, March 13, 2007)

Relating this passage to Shohamy's (2006) definition about mechanisms that influence language behavior and practice, Simon has explicitly stated that not only high standards are connected to testing, but that both these standards and tests are tools for moving ELLs toward English proficiency. He does not explicitly make a statement about the first language of ELLs, a sentiment that is echoed by U.S. Secretary of Education Margaret Spellings who also foregrounds English language learning:

Of course we know that there are a few students who may need additional time or accommodations to reach grade level—such as those with significant disabilities, or those who have just arrived in our country and are still learning English. And we at the Education Department have already made changes to help states and schools factor that into their measuring systems. (Spellings, January 8, 2007a)

Here Spellings presents the situation as an oversimplification, both in the representation of ELLs and the possible impact or effect of accommodations. She begins with a fallacy, stating that either *we*, the administration, or *we*, people who are involved in education, share a common understanding that students may need accommodations, though it is also possible that these same people are unaware or disagree with her position. Further, she reduces the number of ELLs eligible for accommodations through her use of the quantifier *few*, although the policy stipulates that *all* ELLs have access to accommodations, not simply those who have just arrived. In addition, she further confuses the issue by referring to accommodations in relation to both ELLs and students with disabilities. She concludes this excerpt by presupposing that policies and research in relation to accommodations addresses all issues for ELLs with the adverb *already*. Taken together, this excerpt is a misrepresentation of the current issues surrounding accommodations and ELLs at the federal level. However, when discussing accommodations in a specific context, in this case four school districts in Virginia, she continues to mischaracterize accommodations and ELLs and also contradicts herself:

These positive results [increased test scores of ELLs] are dispelling several negative myths. One is that LEP students are at a disadvantage because most are recent arrivals to the country. In fact, about 80 percent have resided here at least five years. Another is that test-takers are not allowed reasonable accommodations. Not true -- under NCLB, they may receive accommodations such as additional time, oral translation or the use of a bilingual dictionary. (Spellings, 2007b)

First, she references test scores as confirmation that ELLs are achieving in local schools. She then privileges these test scores as evidence to combat myths about ELLs. In her first myth, by framing it as a negative myth, she presupposes that being from another country is disadvantageous. She then states that the vast majority of ELLs are U.S. citizens and can use accommodations. This contrasts with the statement from January 8, 2007 where she characterizes the ELLs who are eligible for accommodations as the few recent arrivals to the U.S. When offering the examples of test accommodations, only two of the three examples she mentions deal specifically with the linguistic needs of ELLs, though neither have been found to be beneficial for ELLs (Abedi, 2008; Francis et al., 2006; Koenig & Bachman, 2004; Rivera & Collum, 2006).

Throughout the different official public discourses are multiple positions that, when combined, not only present an oversimplified, reductionist perspective of test accommodations for ELLs that promote a language-as-a-problem orientation (Ruiz, 2002), but can also be interpreted as support for sub-/immersion programs that lead to subtractive bilingualism. This is accomplished under the guise that using test accommodations will benefit ELLs without acknowledging that currently research is inconclusive. These excerpts present some of the ideologies and political motivations in relation to official public discourses. However, as I discuss below, differing positions of test accommodation researchers create a paradox that, depending on the future direction of the research, could either sustain many of these official ideologies or create a space where the needs of ELLs can truly be met.

Potential Limitations of Accommodations Research

How does the current research on test accommodations relate to language planning and policy?

To investigate the possible implications of taking an LPP position in relation to test accommodation, I first examine how different fields define (a) test accommodations and (b) the researcher's role. Returning to the comparison between test accommodations research in relation to ELLs and students with disabilities, each field is positioned to conduct research to meet the specific needs of either ELLs or students with disabilities respectively. However, in relation to testing, these two fields differ in their expertise. Examining how each field defines accommodations, as represented in Table 3, highlights the different orientations of these fields.

Table 3
Definitions for test accommodations

For ELLs	For students with disabilities
<p>“Any change to a test or testing situation that addresses a unique need of the student but does not alter the construct being measured”</p> <p>(Center for Equity and Excellence in Education, 2006)</p>	<p>“...changes in assessment materials or procedures that address aspects of students’ disabilities that may interfere with the valid assessment of their knowledge and skills on standardized tests”</p> <p>(Thurlow & Bolt, 2001, p. 1)</p>

Both definitions contain information about test accommodations in terms of *what* accommodations are, *who* they are directed toward and *how* they affect the assessment. They both identify *what* test accommodations are, changes to tests and/or testing procedures or the way a test accommodation is conducted, which differs from the expected administration. In terms of *who*, this affects ELLs or students with disabilities specifically and these accommodations attempt to meet the specific needs of either of these diverse populations. In the final portion of the definition, there is a subtle difference in perspectives, with the students with disabilities researcher focusing on the effects on the student while the ELL researcher centers on the effects on the test construct. This contrast aids in defining the roles and responsibilities of the researchers, and indexes the fact that students with disabilities researchers do not have expertise in educational measurement and testing whereas ELL researchers do. This difference is made more explicit by Elliot and Roach:

The essential question, then, is *at what point does the change from standard test administration intended to improve scores’ comparability actually change the task and harm score comparability, and how does one know the tasks and resulting scores are no longer comparable?* This is an important question that is most appropriately answered by psychometricians working with the test companies that produce the tests that most states use. Unfortunately, psychometricians and independent researchers haven’t provided us the information to answer this question for the myriad of disabilities, and we believe most educators are unlikely to undertake an experimental approach to determine if a testing accommodation is effective and valid. (2002, p. 10 emphasis in original)

Within this passage Elliot and Roach clarify the responsibilities of researchers of students with disabilities and test accommodations, delegating the testing research to psychometricians. However, in relation to ELLs, researchers are involved in the interdisciplinary field of language testing which requires training in both applied linguistics and psychometrics. Thus, the responsibility of the development of test accommodation and the impact from these accommodations falls on ELL researchers.

These responsibilities have developed into a paradox in test accommodations research. Although researchers agree that ELLs are not a monolithic group

and exist more as a policy designation rather than as a group of individuals with multiple shared traits (Abedi, 2004; Abedi, Hofstetter, & Lord, 2004; Butler & Stevens, 1997; LaCelle-Peterson & Rivera, 1994), much of the research on test accommodations on ELLs continues to be done from within the paradigm that treats all ELLs as a homogeneous group (Abedi, 1999; Abedi, Courtney, & Leon, 2003; Abedi, Courtney, Mirocha, Leon, & Goldberg, 2005; Hafner, 2001), giving nominal attention to issues such as language proficiency or previous educational experience (Abedi, 2001, 2002; Abedi, Leon, & Mirocha, 2003; Abedi, Lord, & Hofstetter, 1998; Abedi, Lord, & Plummer, 1997). Possible reasons for this mismatch in views and research may include lack of access to data or small sample sizes of each subcategory. However, what remains is a research design that continues to focus on fair and equitable measurement of ELLs without reference to the responsibilities of researchers in terms of the long-term impact of the tests on the educational development of ELLs. Therefore, I turn to the work of Shohamy (2001a, 2001b) to argue that this research needs to take a democratic assessment perspective which also addresses the linguistic human rights of ELLs (Del Valle, 2003; May, 2006; Phillipson, 2006; Skutnabb-Kangas 1997, 2006) in order to combat the move towards subtractive bilingual models of teaching, sub/immersion, and instead push for additive models, which more appropriately address the needs of ELLs as emergent bilinguals.

Shohamy (2001a, 2001b) calls for researchers in testing to take a more active role in understanding and analyzing the impact of the tests, or in this case, accommodations, that they are researching. She puts forth five views in relation to the accountability of testing researchers: ethical responsibility, responsibility of making others aware, responsibility for all test consequences, responsibility for imposing sanctions and shared responsibility. Each of these aspects is currently missing from the research conducted on test accommodations but could be integrated to not only give researchers a more active role in terms of policy but also to support additive bilingualism. Therefore, I argue that language testing researchers need to expand their research to encompass these democratic perspectives by following their accommodations into the classroom to measure long-term impact. This is particularly important because currently the accommodation receiving the most attention from researchers is *linguistic modification*, also referred to as *linguistic simplification*.

Linguistic modification, a reduction in the lexical and/or syntactic complexity of test items, has received positive attention because modifying the existing test is inexpensive, relatively quick, and the resulting assessment does not delay test administration, nor does it negatively impact the test construct. "The result of the process of linguistic simplification must be to make items accessible to [ELLs] while not altering the difficulty of the content being tested" (Stansfield, 2002, p. 4). The evidence shows that linguistic modification raises test scores of ELLs (Abedi & Lord, 2001; Abedi, Lord, & Plummer, 1997; Abedi et al., 2005) while having no effect on the control group (Rivera & Stansfield, 2001). However, these results of accommodations deal with the immediate, and do not address the potential long-term impact that a linguistically modified test may have on the language development of ELLs. Returning to Shohamy's (2001a, 2001b) views, this research ignores the possible ethical implications of making available simplified tests for all ELLs without regard to potential

consequence or misuse by schools. Rather than continuing research within this vein, it is also possible to expand test accommodation research to include mixed-methods approaches that include both experimental design in addition to qualitative work to document the processes and practices of accommodation in use.

Future Directions

Test accommodation research remains in its early stages and therefore, may still be open to influence from LPP and democratic alternatives to assessment that elevate the role of the researcher. By working with an interdisciplinary lens, research on accommodations can be designed with goals and objectives in order to maintain and expand professional rigor in research. Further, a combination of perspectives allows for the needs of the research participants, ELLs, the individuals that ultimately bear the brunt of the results of much of this research, to be more appropriately met.

The power of tests as a de facto language policy and accommodations as a mechanism of de facto language policy need to be recognized by researchers as it is already widely acknowledged in the public sphere. To repeat an old education motto that the Bush administration has made relevant in U.S. public schools, "what gets tested gets taught."

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