

Admission, Review & Dismissal Committee

STATE AND DISTRICTWIDE ASSESSMENTS

September 15, 2020

Model operating procedures created by



Student Solutions

and

Thompson
& Horton_{LLP}

ATTORNEYS | COUNSELORS

Disclaimer: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

©2020 by Texas Association of School Boards, Inc.

TASB grants members/subscribers of TASB Student Solutions™ the limited right to customize this publication for internal (non-revenue generating) purposes only.



State and Districtwide Assessments

CONTENTS

STATE AND DISTRICTWIDE ASSESSMENTS 1

 What Is Required 1

 Participation in State and Districtwide Assessments 1

 Accommodation Guidelines 1

 Alternate Assessments 1

 Assessment Requirements for Graduation 2

 IEP Documentation 2

 Annual Assessment of English Language Proficiency 2

 Definitions 2

 Additional Procedures 3

 Accommodation Guidelines 3

 Alternate State Assessments 4

 Assessment Requirements for Graduation 5

 IEP Documentation 6

 Annual Assessment of English Language Proficiency 6

 Evidence of Implementation 7

 Resources 7

CITATIONS 8



STATE AND DISTRICTWIDE ASSESSMENTS

What Is Required

Participation in State and Districtwide Assessments

All students with disabilities are included in general and Districtwide assessment programs. When necessary, the student's IEP should include the appropriate accommodations and alternate assessments needed for the student, as determined by the ARD committee.

Accommodation Guidelines

The TEA (for statewide assessments) or District Special Education Administration (for Districtwide assessments) must develop guidelines for appropriate accommodations. The guidelines will 1) identify those accommodations that do not invalidate the assessment score; and 2) instruct the ARD Committee to select the appropriate accommodations for each assessment.

Alternate Assessments

The TEA (for statewide assessments) or District Special Education Administration (for Districtwide assessments) will create guidelines for alternate academic achievement standards for students with significant cognitive disabilities who cannot participate in general assessments, even with IEP accommodations. The guidelines will 1) align with state academic content standards and alternate academic achievement standards under the Every Student Succeeds Act ("ESSA"); and 2) measure the achievement of students with the most significant cognitive disabilities.

The TEA (for statewide assessments) or District Special Education Administration (for Districtwide assessments) must provide the ARD Committee with a clear explanation of the difference between alternate assessments and those based on grade-level academic achievement standards. The TEA (for statewide assessments) or District Special Education Administration (for Districtwide assessments) will inform the parents of students selected to take an alternate assessment that their child's achievement will be measured based on alternate academic achievement standards. The TEA or District Special Education Administration must also provide the ARD Committee, including the student's parent, information about how the student's education may be impacted due to taking an alternate assessment. For example, a student who takes an alternate assessment may not meet the requirements for a regular high school diploma or may be delayed in receiving a diploma. However, the TEA or District Special Education



State and Districtwide Assessments

Administration shall not preclude a student from attempting to complete the high school diploma requirements.

Assessment Requirements for Graduation

A special education student is not subject to the individual graduation committee requirements set forth in Texas law. The ARD Committee must determine if special education students in grades 9 through 12 are required to achieve satisfactory performance on an end-of-course assessment to graduate and receive a high school diploma. See [GRADUATION].

IEP Documentation

The ARD Committee will include in the student's IEP a statement about the appropriate and allowable testing accommodations that are needed to measure a student's academic and functional performance on a state or Districtwide assessment.

If the ARD Committee determines that a student will take an alternate state or Districtwide assessment, the IEP will include a statement of why the student cannot participate in the general assessment, as well as the alternate assessment selected by the ARD Committee for the student.

For English learner ("EL") special education students, the ARD Committee and the language proficiency assessment committee ("LPAC") will select the appropriate assessments and document the decisions and justifications in the student's IEP. The ARD Committee will also document any testing accommodations in the IEP.

Annual Assessment of English Language Proficiency

The District must annually administer a state-identified EL assessment to an EL student in kindergarten through grade 12 in the areas of listening, speaking, reading, and writing. The ARD Committee and the LPAC may determine the special education services for the student to participate in the English language proficiency ("ELP") assessment due to the student's disability. The committees' decision and justification must be clearly stated in the student's IEP. An EL student who receives special education services may also receive testing accommodations, to be determined by the ARD Committee and the LPAC. See [SPECIAL FACTORS].

Definitions

"English Learner" is a student whose native language is language other than English or who comes from an environment where a language other than English is dominant and

State and Districtwide Assessments

who has difficulty speaking, reading, writing, or understanding the English language..

A student with a “significant cognitive disability” is a student who:

- exhibits significant intellectual and adaptive behavior deficits in their ability to plan, comprehend, and reason, and also indicates adaptive behavior deficits that limit their ability to apply social and practical skills such as personal care, social problem-solving skills, dressing, eating, using money, and other functional skills across life domains;
- is not identified based on English learner designation or solely on the basis of previous low academic achievement or the need for accommodations; and
- requires extensive, direct, individualized instruction, as well as a need for substantial supports that are neither temporary nor specific to a particular content area.

Additional Procedures

Accommodation Guidelines

Prior to an ARD meeting about an accommodations or alternate assessment, Campus Special Education Personnel should collect baseline data about the student’s educational and behavioral performance. An ARD Committee should then review the data and describe its considerations for alternative assessments in detail in the IEP.

When considering accommodations that do not invalidate the assessment score, the ARD Committee should consider TEA’s policies on accommodations for alternative assessments. The polices are categorized by three different types of accommodations: 1) accessibility features; 2) locally-approved designated supports; and 3) designated supports that require TEA approval.

Accessibility features are procedures and materials available to any student who regularly benefits from their use during instruction. Accessibility features may be provided to students based on their needs; however, a student cannot be required to use them during testing. Testing coordinators are responsible for ensuring that test administrators understand the proper implementation of these procedures and use of these materials. In some cases, a student may need to complete the test in an individual setting to eliminate distractions to other students and to ensure that the security and confidentiality of the test are maintained.

Locally-approved designated supports include accommodations that may be made

State and Districtwide Assessments

available to students who meet eligibility criteria. The decision to use a designated support during a state assessment should be made by the ARD Committee on an individual student basis and take into consideration the needs of the student and whether the student routinely receives the support during classroom instruction and classroom testing. The twelve locally-approved designated supports available for the STAAR are:

- Basic Transcribing
- Braille/Refreshable Braille
- Calculation Aids
- Content and Language Supports
- Extra Time
- Individualized Structured Reminders
- Large Print
- Manipulating Test Materials
- Mathematics Manipulatives
- Oral/Signed Administration
- Spelling Assistance
- Supplemental Aids

The designated support requiring TEA approval include complex transcribing, extra day, mathematics scribe, and other. If the ARD Committee determines that the student needs accommodations requiring TEA approval, Campus Special Education Personnel will submit an Accommodation Request Form to TEA. TEA's Accommodations Task Force will communicate with the Campus Special Education Personnel requesting the accommodation, as well as the District Testing Coordinator, by email once a decision has been made. Campus Special Education Personnel should note the expiration date for the provided accommodation included in the TEA decision email. As this process may take several weeks, Campus Special Education Personnel should make this request within a reasonable amount of time before a scheduled assessment, when feasible. A new accommodation request will need to be submitted each calendar year if the student continues to demonstrate a need. Campus Special Education Personnel should ensure they understand the process for requesting student assessment accommodations that require TEA approval.

Alternate State Assessments

The ARD Committee will also determine whether a student grades 3 through 8 and those in high school, who has a significant cognitive disability, and is receiving special education services needs to take the STAAR Alternate 2 assessment. This decision must be made on a case-by-case basis, considering each student's individual strengths, needs, instruction, and accommodations—as documented in the student's IEP. In determining



State and Districtwide Assessments

whether the student is eligible for the STAAR Alternate 2 assessment, the ARD Committee must carefully consider the following criteria:

- Does the student have a significant cognitive disability?
- Does the student require specialized, extensive supports to access the grade-level curriculum and environment?
- Does the student require intensive, individualized instruction in all institutional settings?
- Does the student access and participate in the grade-level TEKS through prerequisite skills?
- Is the STARR Alternate 2 assessment determination based on the student's significant cognitive disability and NOT any other factors?

If the answer is “Yes” to all eligibility criteria above, the ARD Committee must discuss assurances related to the student’s participation in the STAAR Alternate 2 assessment. The STAAR Alternate 2 assessment is given in the spring during a three-week period and may include breaks as needed based on the student’s needs. The STARR Alternate 2 assessment is provided at the student’s campus or at an alternate site if determined necessary based on the child’s individual needs. Campus Special Education Personnel will ensure that the assessment is provided in a testing environment where the student can avoid distractions and receive all individual accommodations.

Student participation in assessments should be reviewed at each annual ARD meeting. The District will provide training to ensure that ARD Committee members are aware of and understand all of the state or Districtwide guidelines on alternate assessments.

Assessment Requirements for Graduation

The ARD Committee can consider different factors for determining whether a student is required to achieve satisfactory performance on an end-of-course assessment. Student progress and demonstrated ability to access the general education curriculum are factors to consider. For example, a special education student may have issues with long-term retrieval that causes the student to perform unsatisfactorily on an end-of-course assessment. Despite this, the student is still making appropriate academic progress and achieving satisfactory scores on classroom assignments and homework. In an instance like this, the ARD Committee may excuse the student from retaking the assessment.

The ARD Committee may also consider whether a special education student improved

State and Districtwide Assessments

his or her score on the second administration of the end-of-course exam. If the student does not achieve satisfactory performance but makes improvement the second time, the ARD Committee may excuse the student from retaking the assessment.

A student that takes an alternative assessment will take the STAAR Alternate 2 in all grade levels and subject areas instead of the EOC. The ARD Committee will determine if the student can take standard EOC assessments or will require a modified or alternate form of the assessment.

Student participation in assessments should be reviewed at each annual ARD meeting.

IEP Documentation

The student's IEP should clearly document the results of the previous year's state assessments, as well as any effective accommodations the student received. Accommodations will also be addressed for each subject area on the state assessment page.

The ARD Committee should include detailed deliberations in the student's IEP that reflect its discussion related to state assessments. The deliberations should include the underlying data the ARD Committee relied upon but need not include a list of each test and/or accommodation recommended, as this is detailed elsewhere in the IEP. Detailed deliberations also help to guide the ARD Committee, educators, related service providers, and other campus staff on the student's expectations. Further, detailed deliberations help demonstrate the ARD Committee's meaningful discussion.

Annual Assessment of English Language Proficiency

The TELPAS Alternate is a holistic inventory that assesses the language domains of listening, speaking, reading, and writing for students with significant cognitive disabilities in grades 2 through 12 who are in the process of acquiring English proficiency in those areas. The ARD Committee in conjunction with the student's LPAC Committee will meet to review participation requirements and determine and document the student's eligibility for TELPAS Alternate. If the TELPAS Alternate is being considered for a student in grade 2, the ARD Committee and LPAC must ask the following questions:

- Is the student identified in PEIMS as LEP/EL?
- Does the student have a significant cognitive disability?
- Does the student require specialized, extensive supports to access the grade-level curriculum and environment?



State and Districtwide Assessments

- Does the student require intensive, individualized instruction in all institutional settings?
- Does the student access and participate in the grade-level TEKS through prerequisite skills?
- Is the assessment determination based on the student's significant cognitive disability and English learner status and NOT any other factors?

If the answer is “Yes” to all of the above criteria, the student is eligible to participate in TELPAS Alternate. If a student entering grades 3 through 12 has been identified as EL and the ARD Committee has followed the guidelines above in “Alternate Assessments” to determine the student’s participation in STAAR Alternate 2, the student will be assessed with TELPAS Alternate.

Evidence of Implementation

- The English Language Proficiency Assessment
- FIE
- ARD/IEP
- Report Card Grades
- Progress Reports on Annual Goals
- Teacher and Campus Special Education Administrator Input
- State or Districtwide Assessment Results
- Accommodation Requests/Approval

Resources

[The Legal Framework for the Child-Centered Special Education Process: State and Districtwide Assessments - Region 18](#)

[Assessments for Students with Disabilities – Texas Education Agency](#)

[Accommodation Resources – Texas Education Agency](#)

[2020-2021 Accessibility Features - Texas Education Agency](#)

[Accommodation Request Process - Texas Education Agency](#)



State and Districtwide Assessments

[Guidance Related to ARD Committee and LPAC Collaboration – Texas Education Agency](#)

[OSERS Letter to Anonymous \(August 25, 2009\) – U.S. Department of Education](#)

[STAAR Alternate 2 Resources – Texas Education Agency](#)

[STAAR Alternate 2 Participation Requirements - Texas Education Agency](#)

[TELPAS Alternate Resources - Texas Education Agency](#)

[TELPAS Alternate Participation Requirements - Texas Education Agency](#)

[State Assessments - SPEDTEX](#)

CITATIONS

Board Policy EKB; Board Policy EKBA; 34 CFR 200.1(d), 200.2(e), 300.160(b)–(e), 300.320; Texas Education Code 39.023(a)–(c); 39.025(a-4); 19 TAC 74.1025(n), 89.1055, 89.1203(7), 101.1003(b)–(c), 101.1005, 101.3013(b), 101.3023(a)