(X) Required
( ) Local
( ) Notice

DISTRICTWIDE AND STATEWIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES AND STUDENTS ELIGIBLE FOR ACCOMMODATIONS SECTION 504 OF THE REHABILITATION ACT OF 1974

The Board of Education recognizes the importance of offering access and appropriate testing accommodations to students with disabilities under the IDEA and students for whom a determination has been made that they are eligible to receive accommodations pursuant to Section 504 of the Rehabilitation Act of 1974, so that they can participate in assessment programs on an equal basis with their nondisabled peers. Two elements that contribute to an effective assessment program are proper use of accommodations and use of universal design principles in developing and administering tests.

Testing Accommodations

Testing accommodations provide an opportunity for students with disabilities and/or students who are entitled to accommodations pursuant to Section 504 of the Rehabilitation of 1974 to:

- Participate in the instructional and assessment program;
- Demonstrate their strengths, knowledge and skills without being restricted by their disability; and
- Provide an accurate measure of the standards being assessed so that appropriate instruction and services can be provided.

Testing accommodations are changes made in the administration of the test in order to remove obstacles to the test-taking process that are presented by the disability without changing the constructs being tested. Examples of testing accommodations are: flexibility in scheduling/timing; flexibility in the setting for the administration of the test; changes in the method of presentation and changes in the method of response. Testing accommodations are neither intended nor permitted to: alter the construct being measured or invalidate the results, provide an unfair advantage for students with disabilities over students taking the test under standard conditions or substitute for knowledge or abilities that the student has not attained.

The Committee on Special Education (CSE), the Subcommittee on Special Education, the Committee on Preschool Special Education or the 504 Committee is responsible for recommending the appropriate test accommodations and including those recommendations on the student's Individualized Education Program (IEP), Individualized Education Services Program (IESP), or Service Plan (SP) or the student's 504 Plan. If it is determined that a student should participate in alternative assessments instead of the standard statewide or districtwide tests, the

CSE, CPSE or the 504 Committee must indicate the reasons for doing so on the IEP, IESP or SP or 504 Plan.

The recommendations will be reviewed annually by the CSE, CSE subcommittee, CPSE or, in the case of the 504 Committee, as necessary. The Board acknowledges the importance of integrating the assessment program with the instructional program and, to that end, encourages effective communication among district staff so that implementation is consistent and fair. The goal is to provide effective assessments that allow students to benefit from their educational program.

In some situations, a building principal may authorize the use of testing accommodations in accordance with this policy. Those instances are limited to cases where a general education student incurs a disability, such as, but not limited to, a broken arm, without sufficient time for the CSE, CPSE and/or Section 504 Committee to make a recommendation prior to a test. This does not include cases where the student is already being evaluated to determine his or her eligibility for status as a student with a disability. In exercising this authority, the building principal will rely on his or her professional judgment. He or she also may confer with CSE, CPSE and/or Section 504 Committee members.

Universal Design Principles in Districtwide Assessments

The Board of Education recognizes the benefits of using the principles of universal design to further the goal of ensuring equal access to districtwide assessments and to ensure the most accurate measure of the performance of all students. The Board directs the Superintendent, in consultation with appropriate school staff, to examine how universal design principles can be incorporated into the district's assessment program, and to facilitate its use to the extent feasible. Any steps taken in this regard will be consistent with this policy and applicable State Education Department policy and/or guidance on the use of universal design principles.

At a minimum, the Superintendent will explore how district assessments can be:

1. Made more usable by students with diverse abilities.
2. Designed to better accommodate a wide range of individual preferences and abilities.
3. Made more understandable.
4. Made to communicate necessary information to students more effectively.
5. Designed to minimize adverse consequences of accidental or unintended actions.
6. Used more efficiently and comfortably and with a minimum of student fatigue.

Cross-ref: 4321, Programs for Students with Disabilities
4321.5, Confidentiality and Distribution of IEP, IESP and SP
5020.3 Students with Disabilities and Section 504

Ref. Individuals with Disabilities Education Act (IDEA), 20 USC §§ 1401 (35);
1412(a) (16) (E);
34 CFR §§ 300.44
Assistive Technology, 29 USC 3002 (19)
8 NYCRR §§ 200.1 (jjj); 200.2(b) (13,14); 200.4(d) (2) (vi)

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