

**Title of Regulation****Regulation No.:****43-262****ASSESSMENT PROGRAM****Effective Date:****06/26/15****Constitutional and Statutory Provisions:**

## Section(s):

59-5-60.	General powers of [State] Board
59-18-310.	Development or adoption of statewide assessment program to measure student performance
59-18-320.	Review of field test; general administration of test; accommodations for students with disabilities; adoption of new standards.
59-18-330.	First grade readiness test
59-18-340.	Determining student and school performance relative to national performance levels
59-18-350.	Cyclical review of state standards and assessments; analysis of assessment results.
59-18-360.	Dissemination of assessment results.
59-18-900.	Development of comprehensive annual report cards; academic performance ratings; promulgation of regulations.
59-20-60.	Spending Priority; audits; evaluations and reports; statewide testing programs; Innovation Initiative; improvement councils; Education Finance Review Committee

Code of Laws of South Carolina, 1976.

20 U.S.C. § 6301 et seq. No Child Left Behind Act of 2001  
U.S. Code of Laws

**State Board Regulations:**

Assessment Program.

**I. STATEWIDE ASSESSMENT PROGRAM**

A. The Education Accountability Act of 1998 (EAA), S.C. Code Ann. Section 59-18-310, and the No Child Left Behind Act of 2001 (NCLB), 20 U.S.C. Section 6301, et seq. require that the State Board of Education develop or adopt a statewide assessment program in certain grades and selected content/skill areas.

B. The statewide assessment program will involve testing public school students at selected grade levels and in selected content and skill areas at times specified by the South Carolina Department of Education (SCDE). The grade(s) and content/skill areas to be included in the assessment program are identified by the EAA, NCLB, and State Board of Education regulations.

The statewide assessment program includes assessments administered to assist in the identification of students for participation in programs for the gifted and talented, and assessments administered for accountability purposes, including but not limited to the following:

South Carolina Palmetto Assessment of State Standards (SCPASS),  
South Carolina Alternate Assessment (SC-Alt), and  
End-of-Course Examination Program.

C. The program is funded through an annual appropriation included in the South Carolina General Appropriations Act. The request for such funding is included in the annual budget request of the State Superintendent of Education. Continued operation of the program is contingent upon the availability of funds.

D. The following are responsibilities of the SCDE for assessments in which school districts are required to participate.

1. Supply all necessary test materials regardless of the testing format, (e.g., paper/pencil, online, customized), scoring, and standard score reports at no cost to the local school districts. Test materials do not include hardware or software for online testing.

2. Pay all shipping costs for the transportation of test materials and score reports between the SCDE, school districts, and scoring service(s).

3. Provide workshops on test administration, interpretation, and utilization for district test coordinators and other selected staff.

4. Report the statewide results of the program to the State Board of Education on an annual basis.

5. The SCDE will report statewide and school district test results as may be necessary for accurate and meaningful interpretation.

6. Test data for individuals shall be released only in a manner that is consistent with the provisions of Section 438 (Privacy Rights of Parents and Students) of the General Education Provisions Act (Title IV of Public Law 90-247, as amended) and any other relevant legislation, including but not limited to Act 200 of 2014.

7. Field/pilot-test, at the discretion of the State Superintendent of Education, new assessment instruments and/or procedures and recommend changes in the Statewide Assessment Program to the State Board of Education, the Education Oversight Committee, and other appropriate policy-making bodies.

E. The participation of local school districts in the statewide testing program is required under Section 59-20-60(7)(c) of the South Carolina Education Finance Act and the South Carolina Education Accountability Act of 1998. The following are responsibilities of local school districts.

1. As used in these regulations, "local school district" shall mean public school districts, the South Carolina Public Charter School District, a public or independent institution of higher learning serving as a charter school sponsor pursuant to the South Carolina Charter Schools Act, as well as other publicly funded educational institutions providing instruction to public school students.

2. Designate one or more district test coordinators (DTCs) who will be the point of contact for the SCDE or its contractors as well as attend the workshops provided by the SCDE. The DTC is responsible for ensuring that school test coordinators (STCs) and test administrators are trained. DTCs and/or STCs are responsible for the distribution, receipt, storage, and return of test materials and reports.

3. Administer the tests (including field/pilot tests) in accordance with procedures and at dates and times specified by the SCDE.

F. Students with disabilities shall be included in the assessment program in compliance with the provisions of South Carolina and federal statutes and regulations.

G. The State Superintendent of Education is authorized to develop and implement such administrative procedures as he or she may deem necessary and appropriate for the purpose of implementing the South Carolina Statewide Assessment Program. Any administrative action taken under this regulation will be presented to the State Board of Education during the next regularly scheduled meeting of the Board.

H. End-of-Course Examination Program (EOCEP)

1. Courses Tested

a. The following courses in State Board of Education Regulation 43-234, "Defined Program, Grades 9–12," are "gateway" and "benchmark" courses. For the purposes of this regulation, however, these courses shall be referred to only as "gateway" courses.

i. English/language arts: English 1

ii. Mathematics: Algebra 1. After completion of Mathematics for the Technologies 2, students shall be administered the end-of-course examination for Algebra 1.

iii. Science: Biology 1. After completion of Applied Biology 2, students shall be administered the end-of-course examination for Biology 1.

iv. Social Studies: United States History and the Constitution

v. A course by any title for which the instructional basis is the academic standards for any of the abovementioned courses will be considered the equivalent of the appropriate abovementioned gateway course and one for which an end-of-course examination must be administered.

b. The end-of-course examinations shall be administered to all public school students who take a gateway course for which credit can be applied toward the requirements for a high school diploma, regardless of the grade in which a student takes the course. An exception is when a student takes two courses based on the same academic standards. The student would take the end-of-course examination at the end of the first course, and the test score would count as 20 percent of the final grade. If the student passes the first course, the student would not take an end-of-course examination for the second course, and the student's final grade would be calculated without an end-of-course score. The second course would not be a gateway course for that student.

2. Purposes and Uses

a. The purposes and uses of the end-of-course examinations shall be as follows:

i. The examinations shall encourage instruction in the specific academic standards for the courses, encourage student achievement, and document the level of students' mastery of the academic standards.

ii. The examinations shall serve as indicators of program, school, and school district effectiveness in the manner prescribed by the Education Oversight Committee in accordance with the provisions of the Education Accountability Act of 1998 (EAA).

iii. The examinations shall be weighted 20 percent in the determination of students' final grades in the gateway courses.

b. The examination may be used for such other purposes as the State Board of Education may determine to be appropriate and consistent with the Standards for Educational and Psychological Testing (Joint Standards) of the American Psychological Association, the American Educational Research Association, and the National Council on Measurement in Education.

3. The content of the subject-area examinations that are selected or developed pursuant to the provisions of this policy shall be aligned with the academic standards approved by the State Board of Education.

4. Student performance standards for the examinations shall be established by the SCDE.

5. The academic standards for the examinations shall be reviewed on a schedule that is consistent with the requirements of the EAA. Following any revisions of the academic standards, the examinations will be reviewed and revised as necessary to ensure their continued alignment with the standards.

6. Students who are enrolled in the gateway courses shall be provided with copies of the academic standards that pertain to those particular courses. Students will be advised that the final examination for each gateway course will be based on the skills and content represented in the academic standards. District personnel shall provide this information to students no later than the first day of instruction in the course.

## II. NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP)

NAEP tests will be administered annually to samples of students. Schools selected for NAEP will participate in the assessment program as prescribed by NAEP policies.