



INITIAL GUIDANCE FOR TESTING STUDENTS WITH DISABILITIES USING ACCOMMODATIONS ON THE ACT®

Participation Requirements

The Individuals with Disabilities Education Act (IDEA) regulations, 34C.FR § 300.160 (a) specifies that a State must ensure that all children with disabilities are included in all general State and district-wide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act (ESEA), 20 U.S.C. 6311, with appropriate accommodations and alternate assessments, if necessary, as indicated in their respective IEPs. Section 300.160 (b) provides the following accommodation guidelines – (1) A State (or, in the case of a district-wide assessment, an LEA) must develop guidelines for the provision of appropriate accommodations; and (2) The State's (or, in the case of a district-wide assessment, the LEA's) guidelines must – (i) Identify only those accommodations for each assessment that do not invalidate the score; and (ii) Instruct IEP Teams to select, for each assessment, only those accommodations that do not invalidate the score.

Unless a student's Individualized Education Program (IEP) team has determined that the student take an alternate assessment based on alternate achievement standards, all students in their third year of high school (from initial high school enrollment) are expected to participate in the ACT® College Readiness Assessment (The ACT).

Students with disabilities needing accommodations will participate in The ACT using State-Allowed or ACT-Approved Accommodations. Only scores obtained with the use of ACT-Approved Accommodations may be reported to colleges and universities, as well as scholarship funding agencies.

Students with Disabilities Who Need Allowable Accommodations

In South Carolina, The ACT is used as an assessment to meet State and federal accountability requirements. Students with disabilities may take The ACT using State-Allowed Accommodations that do not invalidate the score but have not been approved by ACT, Inc. for college reporting purposes. For State-Allowed Accommodations, no documentation is submitted to ACT, Inc., except to order accommodated materials (referred to as customized materials in South Carolina). The list of accommodations valid and allowable for use in accountability will be sent to districts as soon as it is finalized.

Scores for students using State-Allowed Accommodations will be counted for federal accountability purposes when reporting to the U.S. Department of Education (USED). In addition, these scores will be used in calculating district and school grades, as outlined in the State's Elementary and Secondary Education Act (ESEA) Waiver; and in other state accountability reporting. These scores will not be reportable to colleges and universities or included in the district-level data file. Principals will receive a notification of "non-college reportable" results from ACT, Inc. for each student who tests with State-Allowed Accommodations to share with parents and appropriate school faculty.

Process for Seeking ACT-Approved Accommodations

A benefit of students taking The ACT is to have an opportunity to receive college-reportable scores for colleges and universities, as well as scholarship funding agencies. In order for students with disabilities requesting accommodations to receive college-reportable scores and a composite, they must take all components of The ACT and information must be submitted to ACT, Inc. including, but not limited to, documentation by a diagnosing professional that:

- states the specific impairment as diagnosed;
- is current;
- describes the presenting problems and developmental history, including relevant educational and medical history;
- describes substantial limitations resulting from the impairment, as supported by test results;
- describes the recommended accommodations that provide rationale explaining how these accommodations address the substantial limitations;
- establishes the professional credentials of the evaluator; and
- includes comprehensive assessments, with evaluation dates, used to arrive at the diagnosis. (Note: These procedures will be forthcoming from ACT, Inc.)

Documentation must be submitted by the school to ACT, Inc. **by January 23, 2015**. Parents or students (if age of majority) must give consent for the applicable documentation to be sent to ACT, Inc. If a Request for an ACT-Approved Accommodation is submitted to and approved by ACT, Inc., students will receive a paper college reportable score report from ACT, Inc. sent to their home address.

If a Request for an ACT-Approved accommodation is submitted to ACT, Inc. but not approved, the student may test with State-Allowed Accommodations for use in accountability, and the student's score will be counted for state and federal accountability purposes.

The information and language contained in this attachment may be used by districts when communicating with parents.