

Frequently Asked Questions (FAQs)
Testing Students with Disabilities
(UPDATED December 2022)

How are decisions made about assessing students with disabilities?

Decisions regarding the methods of assessing students with disabilities must be made on an individual basis by a student's individualized education program (IEP) team or 504 Accommodations Plan team and must be documented in the IEP or 504 plan. The IEP or 504 team, which includes the parent/guardian as an equal participant, is responsible for determining how individual students with disabilities participate in statewide and district-wide assessment programs, not whether they participate. To determine if an accommodation is required for the student to demonstrate what the student knows without the interference of the disability, the IEP or 504 team must carefully review the student's present levels of academic achievement and functional performance, goals and objectives (if included), teacher collected data on the impact of accommodations that are used in the classroom, and reports from general and special education teachers.

Decisions about accommodations and the alternate assessment must be made on an individual student basis, not on the basis of category of disability. As the first option, the IEP or 504 plan team must consider the statewide or district-wide assessment without accommodations. If the team decides, by determining eligibility through the use of the SC-Alt criteria checklist, that the student cannot participate in the assessment even with appropriate accommodations, the student must participate in the state alternate assessment (i.e., South Carolina Alternate Assessment (SC-Alt)). The SC-Alt is an assessment for students with significant cognitive disabilities who are assessed against alternate achievement standards as they are unable to participate in the general assessment program even with accommodations.

If the team determines that the student will participate in the assessment, the team must review the accommodations that the student currently uses to access the general curriculum and determine if some or all of these accommodations are necessary for the student to participate in the statewide or district-wide assessments. It is also important to review teacher collected data to document the effectiveness of these accommodations and whether they have had a positive impact on both student access to the curriculum and student achievement. It is also important to discuss the use of accommodations on statewide or district-wide assessments with the student. The student must feel comfortable with the use of the accommodation in the assessment setting and understand the need for the accommodation.

Testing accommodations must be used to access the general curriculum during routine instruction. The team should be aware that if an accommodation is unfamiliar to a student, recommending its use may result in the assessment of the student's ability to use the accommodation rather than the assessment of his or her knowledge and skills. Also, it is important for the team to understand that some instructional accommodations may not be appropriate for standardized assessment as they may change the construct assessed and result in an invalid assessment.

What if members of the IEP or 504 Plan team express concern about a student's participation in assessment?

Concerns about test anxiety is often cited by some team members as a reason for excluding a student from testing. In light of these concerns, the team may determine that the student needs specific instruction in test-taking skills that may alleviate the student's anxiety and, at the same time, provide a transferable life skill.

Another concern is that the student is working too far below grade level to participate in a grade-level assessment. The IEP team must also assure that the student is taught grade-level content standards with accommodations as appropriate to provide the student access to the content. Teams must make decisions based on (a) the available data concerning the student's performance with and without accommodations, (b) and their knowledge of the purpose of the assessment, and (c) the knowledge that all students must participate in statewide-wide and district-wide assessments.

What does the IEP team need to know about the use of student test scores?

Although the team has the authority to determine what, if any, accommodations are needed in order for a student with a disability to participate in statewide and district-wide assessments, state and local agencies have the authority to determine how test scores are reported and used. The state or local agencies may limit the use of test scores if certain accommodations are included. Some accommodations used in instruction may change the construct being tested when used for a state or district assessment and yield invalid results. When selecting individual accommodations, parents, students, and other team members must understand how their decisions will affect the use of the results. The legal mandate to include all students in the general education curriculum and in statewide and district-wide testing is intended to raise expectations for student performance, not to lower the level of instruction.

What is meant by "standard accommodations" and "non-standard accommodations"?

A standard accommodation is a change in the testing environment, procedures, or presentation that does not alter what the test measures or the comparability of scores. The purpose of accommodations is to enable students to participate in an assessment in a way that allows knowledge and skills to be assessed rather than their disabilities.

A non-standard accommodation is a change in the testing environment, procedures, or presentation that may alter the construct that a test measures or change the meaning of the test scores. The student's permanent record and any other school documents that contain scores from a non-standard administration must state that the student used non-standard accommodations. Details about standard and non-standard accommodations for students with disabilities are available in the Test Administration Manual (TAM) for each testing program.

Why is the oral administration of the English language arts (ELA) test considered a non-standard accommodation in the third grade on the South Carolina College- and Career-Ready (SC READY) Assessment?

Oral administration of ELA in grade 3 impacts the validity of the assessment; therefore, ELA oral or signed administration cannot be used as an accommodation for any grade 3 student on the ELA test. Grade 3 is tied to SC Read to Succeed Act and there is no availability for oral administration. For purposes of legislation, reading proficiency in grade 3 is assessed based on those portions of the SC READY ELA test that directly assess the state reading standards.

How does a team determine if a student is a non-reader and requires an oral administration of the English language arts (ELA) test of SC READY?

The team must have evidence to support that a student comprehends grade-level content when it is presented orally but cannot access the grade-level content through reading due to difficulty with decoding oral administration allows the student to demonstrate what he or she knows and can do with regard to grade-level academic standards.

Some considerations that the team may document in the IEP or 504 plan to support that the student is a non-reader may include:

- past performance on the state assessments;
- use of textbooks on tape/CD/internet;
- routine use of oral administration of classroom materials, assignments, and assessments; and
- use of assistive technology (i.e., screen readers) that provides oral access to grade-level material, assistance through a human reader, or other assistive technology to access text.

There must be evidence that:

- the student has received instruction in reading and even with repeated and varied attempts he or she still cannot access the assessment without oral administration; and
- the IEP team must review, as part of this decision, results of classroom assessments, grades, and performance with specific reading programs.

This documentation is typically found in the in the sections related to present levels of academic achievement and functional performance. These may also be found in the section for accommodations (standard and non-standard) to the general curriculum. This is consistent with previous expectations for documenting the need for oral administration in both instruction and assessment.

Does oral administration of any assessment have to be provided to students individually?

No, readers may be provided to students on an individual basis or to multiple students when using an Oral Administration Script. Oral administration is an accommodation that is provided to students who need the entire tests, including the directions, questions, and most answer choices

read aloud. Detailed information about oral administration policies and procedures are provided in the TAM for each statewide assessment program.

How are the results of the SC READY tests going to be used?

Please keep in mind that the SC READY tests are state accountability measures. The test results will be used for school and district accountability purposes. The assessment results will also be used for federal accountability purposes (The Education Accountability Act and the Individuals with Disabilities Education Act).

Information about the performance levels and scale scores for the SC READY ELA and mathematics tests is provided on the SCDE website at <https://ed.sc.gov/tests/middle/sc-ready>. Four performance levels were established to reflect the continuum of knowledge and skills exhibited by students on the SC READY ELA and mathematics tests: Exceeds, Meets, Approaches, and Does Not Meet Expectations.

- Exceeds Expectations—The student exceeds expectations as defined by the grade-level content standards.
- Meets Expectations—The student meets expectations as defined by the grade-level content standards.
- Approaches Expectations—The student approaches expectations as defined by the grade-level content standards.
- Does Not Meet Expectations—The student does not meet expectations as defined by the grade-level content standards.

Information about the performance levels and scale scores for the SC READY science tests is provided on the SCDE website at <https://ed.sc.gov/tests/middle/sc-ready>. Performance levels reflect the continuum of knowledge and skills exhibited by students.

Four performance levels have been established for the SC READY science tests: Exceeds, Meets, Approaches, and Does Not Meet Expectations.

- Exceeds Expectations—The student exceeds expectations as defined by the grade-level content standards. The student is considered to be well prepared for the next grade level.
- Meets Expectations—The student meets expectations as defined by the grade-level content standards. The student is considered to be prepared for the next grade level.
- Approaches Expectations—The student approaches expectations as defined by the grade level content standards. The student needs additional academic support to be prepared for the next grade level.
- Does Not Meet Expectations—The student does not meet expectations as defined by the grade-level content standards. The student needs substantial academic support to be prepared for the next grade level.

Where can I find the legal requirements for testing accommodations for students with disabilities in legislation?

Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by Every Student Succeeds Act (ESSA) (referred to in these regulations as the Title I program) and the regulations governing programs under Part B of the Individuals with Disabilities Education Act (IDEA) (referred to in these regulations as the IDEA program) require a state to administer assessments that are valid and reliable for the purposes for which they are used.

“Accordingly, students, including students with disabilities, who are assessed with assessments that are not valid and reliable are not “participants” for purposes of calculating participation rates in determining Adequate Yearly Progress. The final IDEA regulations that are included in these regulations provide that a State’s (or in the case of district-wide assessments, an LEA’s [Local Education Agency]) guidelines require each child to be validly assessed and identify, for each assessment, any accommodations that would result in an invalid score. Consistent with Title I, a student with disabilities must receive a valid score in order to be counted as a participant under the IDEA.”

Additionally, the *Modified Academic Achievement Standards Non-Regulatory Guidance*, July 20, 2007, accompanying the regulations includes additional guidance regarding the responsibility for the state and the IEP team with regard to assessing students with valid assessments. The following is an excerpt from the document:

“...A State (or, in the case of a district-wide assessment, an LEA) must develop guidelines for the appropriate use of accommodations in State (or, in the case of the LEA, district-wide) assessments. The guidelines must: (a) identify the accommodations for each assessment that do not invalidate the test score; and (b) instruct IEP Teams to select, for each assessment, only those accommodations that do not invalidate the score.”

Are IEP and/or 504 plan teams prohibited from providing non-standard accommodations to students?

No, non-standard accommodations are changes in the testing environment, procedures, or presentation that alter the construct that the test measures or changes the meaning of the test scores. Students using non-standard accommodations are considered non-participants for accountability purposes. It is important for IEP and 504 plan teams to be familiar with the consequences for using non-standard accommodations on any of the statewide assessments. For additional information regarding accountability and AYP calculations, please contact the Office of Research and Data Analysis, at 803-734-8269.

What happens if an IEP team decides that a student should use an accommodation in an assessment that results in an invalid test score?

If a student uses an accommodation that results in an invalid score, the student is considered to be a non-participant under both Title I and state accountability. If a student takes an assessment with an accommodation that invalidates the score, the assessment is no longer measuring the concepts it was intended to measure. Therefore, the score does not accurately reflect the student’s academic achievement.

May an accommodation that would invalidate a test score be used during classroom instruction?

There is nothing in the IDEA or Title I final regulations that prohibit the use of accommodations in classroom instruction that, if used in a state or district-wide assessment, would invalidate a student's score. Under the IDEA, such classroom accommodations are considered supplementary aids and services. It is the IEP team's responsibility to identify the supplementary aids and services that are necessary for a student to advance toward attaining his or her annual goals, to be involved in and make progress in the general curriculum, and to be educated alongside his or her non-disabled peers.

Does this requirement for valid administrations apply only to Title 1 Schools?

No, this is a federal accountability requirement for all schools. The reference in the legislation is to the amendment to Title I of Every Student Succeeds Act (ESSA).

How are students who are placed in a private school setting by their home school district assessed?

When a student's home district places the student in a private school setting, the home district is responsible for ensuring the student has full access to educational services, including assessments. Common options for ensuring that the student participates in statewide testing include sending trained personnel to conduct the assessments onsite, contracting with a nearby district to provide personnel to conduct assessments, and providing training to personnel from the private school. However, it is accomplished, full access to participation in assessments must be provided.

How are students who are placed in Residential Treatment Facilities (RTFs) assessed?

With respect to students enrolled in the facility school districts, for accountability purposes, the assessment and accountability measures for students residing in RTFs shall be attributed to a specific school only if the child physically attends the school. All assessment and accountability measures of students not physically attending a specific school shall be disaggregated and reported separately in the facility school districts' accountability calculations.

Does the South Carolina Department of Education monitor the use of accommodations in statewide assessment?

Federal legislation requires that states monitor and document that appropriate accommodations available to students with disabilities and that are used in a manner that is consistent with instructional approaches for each student according to the IEP or 504 plan. To comply with this requirement, the SCDE staff from the Offices of Assessment visit randomly selected schools within the testing window to monitor that students are receiving the testing accommodations specified in the IEP.

How does the monitoring process work and what do I need to do?

Schools across the state are chosen at random. Monitoring visits are unannounced. Monitoring staff may review IEPs from selected schools through the South Carolina Enrich IEP System online or during the on-site visit to document that the students are using the accommodations during the assessment that are used in routine instruction, as specified by the IEP. Do students with disabilities participate in state assessment field tests?

Yes. Students with disabilities (and students who are Multi-lingual Learners (ML students)) must participate in field-testing. All students are expected to participate in the field tests with the following exceptions:

1. students who are homebound, homebased, or home schooled;
2. students who are incarcerated; and/or
3. students who are suspended or expelled.

It is important to field test items with the entire population to assure reliable statistical data on the performance of these items. For this reason, the items are to be field tested without the use of some of the accommodations that a student may typically use in the regular administration. Keep in mind that there are no student consequences related to field-testing; the purpose of the field test is to determine how the test items perform. This field test opportunity allows students to practice test taking without the use of some accommodations and without any consequences.

What information should be included in the IEP regarding field-testing?

If the student's IEP does not address the field test, the student is expected to participate in the field test like all other students. If the student will use allowable accommodations these must be specified in the IEP. If the student is homebound, home-based, home schooled, incarcerated, suspended, or expelled, the IEP must indicate that the student will not participate in field testing. If an IEP specifies the use of accommodations that are not allowed on the field test, the IEP must be amended to reflect how the student will participate with allowable accommodations.

What if district-wide assessments do not allow the accommodations that a student needs according to his/her IEP or 504 plan?

If a student cannot be provided with the appropriate accommodations, then the district must provide an alternate way to assess the student whereby appropriate accommodations can be provided. This alternate method may be a district-developed test or another test that the district provides to students. If the student is being screened for a gifted and talented program and the appropriate accommodations cannot be allowed, then the IEP team must review eligibility and placement test information for the student as part of the determination of gifted and talented criteria. The review process and the recommendations must be documented in the IEP.