

210:10-13-11. Testing students with disabilities

(a) Acceptable accommodations of the general assessments of the OSTP for students with disabilities shall be:

- (1) Specified in the student's individualized education program (IEP) under the Individuals with Disabilities Education Act (IDEA); or
- (2) Specified for the student served under the Americans With Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

(b) Any use of test accommodations which deviate from established standardized test procedures for the general assessments of the OSTP shall be reported to the State Department of Education's Student Assessment Section. Accommodations available during testing for a student with a disability shall be only those accommodations normally employed as part of the student's classroom instruction on a regular basis. The accommodation(s) must be specified in either an IEP or a Section 504 plan.

(c) Large print and Braille versions of the tests may be utilized with students whose visual disabilities necessitate such accommodations. The Student must be utilizing large print or Braille in daily classwork as indicated on the student's IEP on file at the school district. To order large print or Braille tests, the district test coordinator shall indicate the quantities required at each grade level tested on the annual questionnaire.

(d) (1) The availability to a particular student of text-to-speech, human reader, or interpreter accommodations for the English Language Arts (ELA)/Reading assessments shall be determined by the following three-prong approach:

(A) The student has a specific disability that severely limits or prevents her or him from decoding text at any level of difficulty, even after varied and repeated attempts to teach the student to do so. The student is not simply reading below grade level, but is a non-reader; and

(B) The student has access to printed materials only through a reader and/or is provided with spoken text on audiotape, CD, video, or other electronic format during routine instruction, except while the student is actually being taught to decode; and

(C) The IEP team or Section 504 team will utilize the ELA/Reading Test Read-Aloud Protocol. This includes the use of the Protocol for Accommodations in Reading (PAR) or the AIM Navigator for deaf or blind students, and must be uploaded into the Nonstandard Accommodation application available on the SDE Single Sign-on for approval by the State Department of Education.

(2) The score report of a student who receives a read-aloud accommodation on an OSTP ELA/Reading assessment will include a notation that the ELA/Reading test read-aloud accommodation was used.

(e) (1) The availability of a unique accommodation that requires changes or alterations to the test materials/booklets or media presentation for a student with a disability must meet the following requirements:

(A) The accommodation is required for the student to access the OSTP and is not part of the standard accommodations or provided as an accessibility feature in a computer based test.

(B) The accommodation must:

(i) Be regularly used by the student for classroom instruction;

(ii) Be listed in the student's IEP; and

(iii) Not alter the underlying content or construct of the assessment.

(C) The accommodation must not impact the reliability or validity of the test.

(D) The request for a nonstandard accommodation may not exempt a student from taking any portion of the OSTP tests.

(E) The request for a nonstandard accommodation must be submitted utilizing Form U and uploaded through the Nonstandard Accommodation application available on the SDE Single Sign-on for approval by the State Department of Education.

~~(df)~~ Students with severe or profound cognitive disabilities who cannot be assessed in a valid and reliable manner with the general state assessment even with accommodations, as specified in the student's IEP, shall be assessed with an appropriate alternate assessment provided by the State Department of Education. Eligibility for an alternate assessment shall be determined annually by the student's IEP team. The scores from alternate assessments shall be included in accountability calculations for the school, district, and state according to the standard procedures for calculation of academic performance targets, as specified in federal law.

~~(eg)~~ Students with the most significant cognitive disabilities who are unable to participate in the regular state assessment, even with accommodations, shall participate in an Alternate Assessment Program (OAAP) and should not exceed a small percentage of the special education population. ~~The OAAP shall be designed for students who are participating in an alternative curriculum based on the Curriculum Access Resource Guide (CARG).~~

~~(fh)~~ The OAAP shall consist of an portfolio alternate assessment system, which may include authentic performance tasks. Alternate assessments are designed to measure academic skills within the same domains required by the regular state assessment. The content of the alternate assessment must be academic and include the major domains/strands of the content area as reflected in state standards. The expected achievement for students is to show learning of grade referenced academic content. Alternate assessments which are portfolio based shall be scored by teams of assessors who hold at least a bachelor's degree from an accredited institution of higher education. Teams of assessors shall be supervised by an individual who has received training from the State Department of Education Office of Special Education in providing access to students with severe or profound cognitive disabilities.~~A portfolio assessment is a collection of student-generated or student-focused products that exhibit the alternative approach to teaching the Priority Academic Student Skills (PASS). The portfolio shall be scored by teams of teachers supervised by an individual who has received training in providing access to students with severe or profound disabilities from the Office of Special Education of the State Department of Education. If authentic performance tasks are used, teachers completing the portfolio shall be provided with information regarding these tasks during a specified time prior to the completion of the portfolio.~~