Testing Students with Disabilities Regulations

Purpose

This document contains regulations necessary to implement State Board of Education Policy 7601 regarding the Mississippi Statewide Assessment System (MSAS) for students with disabilities. It is to be utilized by school personnel, parents, and students in making informed decisions regarding the MSAS.

The regulations in this document are in accordance with the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA 2004), and the *No Child Left Behind Act of 2001* (NCLB). A major focus of IDEA 2004 and NCLB is the inclusion of children with disabilities in the general education curriculum and in state and district-wide assessment programs or alternate assessments for those children who cannot participate in state or district-wide assessment programs.

This document is provided to assist with the decision-making processes regarding

1. the participation of students with disabilities in the Mississippi Statewide Assessment System;
2. testing accommodations; and
3. Alternate Assessment.

It is important that school personnel, parents, and students be knowledgeable of the requirements involved in making decisions regarding a student's participation in the MSAS and the accommodations for each component of the assessment system. The IEP Committee should be aware of these requirements when determining the method of participation used to assess students appropriately with disabilities.

Components of the Mississippi Statewide Assessment System (MSAS)

Currently, the MSAS consists of four components:

1. The Grade Level Testing Program (GTLP) consists of three components:

    a. Mississippi Curriculum Test, 2nd Edition (MCT2) – This component consists of criterion-referenced tests in language arts and mathematics administered to students in grades 3 – 8.

    b. Writing Assessments – This component consists of criterion-referenced performance writing assessments administered to students in grades 4 and 7.

    c. Mississippi Science Test – This component consists of criterion-referenced tests in science administered to students in grades 5 and 8.

2. The Subject Area Testing Program 2nd Edition (SATP2) consists of four (4) criterion-referenced end-of-course tests administered for U.S. History from 1877, Algebra I, Biology I, and English II (with a writing component). Students are required to pass the subject area tests in order to receive a regular high school diploma.

3. The Mississippi Career Planning and Assessment System, 2nd Edition (MS-CPAS2) consists of occupation-specific criterion-referenced assessments required of all students who are completing a vocational program.

4. The Mississippi Alternate Assessment of Extended Curriculum Frameworks (MAAECF) for students with significant cognitive disabilities is designed to assess the educational performance of students with disabilities who cannot participate in the general education curriculum, even with accommodations. Students in grades 3-8 and 12 who meet the state's three criteria which define significant cognitive disabilities (SCD) are eligible to participate in the MAAECF. In general, eligible students are those who have a history of requiring extensive individualized instruction and have been classified as having a significant cognitive disability (SCD).

Definitions

These definitions apply to terms as they are used in this document:

1. Accommodation - An accommodation is a change in testing procedures that provides students with disabilities an equal opportunity to participate in testing situations and to demonstrate their knowledge and abilities. Without accommodations, the assessment may not accurately measure the student's knowledge and skills. Accommodations can change the method in which test items are presented to a student and the method of the student's response to test items. Allowable accommodations ensure that the test measures skills and knowledge rather than a student's disability. Accommodations are provided to "level the playing field." Non-allowable accommodations are accommodations that interfere with what the test purports to measure. Accommodations are grouped into the following categories: setting conditions, timing/scheduling conditions, presentation conditions, and response conditions.
2. Alternate Assessment - An alternate assessment is appropriate for students for whom an accurate measure of performance and progress cannot be obtained using the standard statewide testing programs even with allowable accommodations.
3. Mississippi Alternate Assessment of Extended Curriculum Frameworks (MAAECF) – This alternate assessment process is specifically designed for students who meet the criteria to be classified as significantly cognitively disabled (SCD).
4. Eligible Student - According to the federal regulations, the (formal) assessment of students with disabilities is required to the extent that <u>non-disabled</u> students are assessed under state and district-wide assessment programs. In Mississippi, this includes the following list of students with disabilities:
    a. in grades 3-8;

b. in a non-graded setting and are 8 to 13 years of age on September 1 of the current school year;
c. take high school courses or secondary vocational programs in which non-disabled students are tested; or
d. in grade 12 or in a non-graded setting and are 18 years of age on September 1 of the current school year who have not enrolled in Algebra I, Biology I, and English II and have not been assessed previously on Algebra I, Biology I, and English II. Remember, all students, including students with disabilities, must be included in the general education curriculum and take all required prerequisite courses prior to being placed in a tested subject area course.

5. General Accommodations – These are allowable accommodations that can be utilized by both general education and special population students during classroom instruction and on the statewide tests.
6. Subject Area Testing Program Alternative Assessment (SATP2 AA) – This alternative assessment process for the Subject Area Testing Program (SATP2) is for students with disabilities under IDEA. It is for students that need a non-allowable accommodation to participate in the general state assessment.
7. IDEA – Refers to the current edition of *Individuals with Disabilities Education Act*. IDEA emphasizes and requires that educational programs for students with disabilities be designed to ensure, to the maximum extent appropriate, their involvement in the general curriculum, and their participation in the general educational environment.
8. IEP – An Individualized Education Program document for students with disabilities developed by an inter-disciplinary team including the parent and, when appropriate, the student.
9. NCLB – Refers to the *No Child Left Behind Act of 2001* (NCLB) passed by Congress in December 2001. The NCLB addresses the inclusion of all students in state and district assessment and accountability systems, including students with disabilities.
10. Section 504 – Refers to a federal law, the *Rehabilitation Act of 1973,* designed to protect the rights of individuals with disabilities in programs and activities that receive federal funds from the U.S. Department of Education.
11. Mississippi Language Arts Curriculum Framework – This document contains the current standards for language arts instruction for students in the Mississippi public schools.
12. Mississippi Mathematics Curriculum Framework – This document contains the current standards for mathematics instruction for students in the Mississippi public schools.

Definition of Students with Disabilities

These regulations apply to students as defined below:

1. Students with disabilities under the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA) are students who have been evaluated and determined to have a disability and to be in need of special education in accordance with state regulations and

regulations under IDEA. Students must (1) have current eligibility certification for a specific disability under IDEA, (2) have a current Individualized Education Program (IEP), and (3) receive special education services.

Significant Cognitive Disability (SCD) – For a student to be classified as having a significant cognitive disability, all of the following must be true:

a. The student demonstrates significant cognitive deficits and poor adaptive skill levels (as determined by that student's comprehensive assessment) that prevent participation in the standard academic curriculum or achievement of the academic content standards, even with accommodations.

b. The student requires extensive direct instruction in both academic and functional skills in multiple settings to accomplish the application and transfer of those skills.

c. The student's inability to complete the standard academic curriculum is not the result of excessive or extended absences or primarily the result of visual, auditory, or physical disabilities; emotional-behavioral disabilities; specific learning disabilities; or social, cultural, or economic differences.

2. Students with disabilities under Section 504 are students who have been determined to have a disability under Section 504 regulations, have a current 504 Accommodation Plan, and receive services based on the plan.

3. Students with a temporary physical disability are students with a temporary physical disability resulting from an illness or injury, such as a broken limb or temporary vision loss may be provided allowable accommodations after receiving approval from the Office of Student Assessment.

Basis of Regulations

State Law

Mississippi Code 37-16-3 requires that all eligible students enrolled in public school participate in the Mississippi Statewide Assessment System and that the school district superintendent certify annually that all eligible students enrolled in the designated grades/courses were tested. Students with disabilities are required to be included in the general education curriculum to the maximum extent possible even with the use of supplementary aides and services and in general statewide and district wide assessments with appropriate accommodations where necessary (MS Code 37-16-9 and 37-23-148).

Federal Law

Individuals with Disabilities Education Act

Congress amended the *Individuals with Disabilities Education Act* on November 19, 2004 (IDEA). IDEA emphasizes and requires that educational programs for students with disabilities be designed to ensure, to the maximum extent appropriate, their involvement in the general curriculum and their participation in the general educational environment. No student with a disability can be removed from the general education environment unless the nature or severity of the disability is such that education in regular classes with supplementary aids and services cannot be achieved satisfactorily. Based on these requirements, the majority of Individualized Education Programs (IEPs) for students with disabilities will be developed utilizing the general curriculum requirements with special education services focusing on direct instruction to assist a student to achieve the general education curriculum requirements.

IDEA also places emphasis on participation of students in state and district-wide testing programs and requires additional components for IEP development. Federal and state regulations require the IEP Committee to make the decision as to the most appropriate method of participation for a student with disabilities in each applicable component of the testing program. Parents are considered team members and have the opportunity to participate in their child's IEP meeting to make such decisions; therefore, they are included in the decision-making process.

If a student cannot take the grade/course-level assessment with allowable accommodation(s), then, on the IEP, explain why the student's disability requires the administration of an alternate assessment. Any student who is determined to be unable to participate in the MSAS via grade-level testing must be provided an alternate assessment. IDEA requires the MDE to report to the public the number of students with disabilities who participate in the grade-level testing program and the number of students participating in the alternate assessment. Also, the performance of those students who participate in the MSAS must be reported to the public if doing so would be statistically sound and would not result in the disclosure of performance results identifiable to individual students.

The IEP Committee must list the accommodations necessary for the student to participate in the testing program. Federal regulations require that any accommodation that is needed by the student to participate in the testing situation be listed on the student's IEP. Congress included this requirement due to the belief that large numbers of students with disabilities were exempted from participation, leading to the appearance that these students were not capable learners.

IDEA requires all States to reevaluate the procedures for participation and the need for excluding test scores. When a student participates in the testing program with accommodations that are not allowable for a particular test, the student's scores will be excluded from the statistical summaries. The IEP Committee concentrates on which accommodations are needed by the student to participate successfully in the classroom setting and in statewide testing. It is not the IEP Committee's responsibility to determine if accommodations are allowable or non-allowable or whether a student's scores will be excluded from the statistical summaries. However, it is important for the IEP Committee to be aware that certain accommodations are not allowable for components of the MSAS. This knowledge is especially essential when planning educational programs for students with disabilities who would like to receive a standard high school diploma.

The determination of whether an accommodation is allowable is made by the Mississippi Department of Education, Office of Student Assessment.

No Child Left Behind Act of 2001

Congress passed the *No Child Left Behind Act of 2001* (NCLB) in December 2001, and President Bush signed it into law on January 8, 2002. Section 1001 of NCLB identifies the purpose of the act, which is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments. In order to accomplish the objectives set forth in NCLB, states must (1) meet the educational needs of low-achieving children in our Nation's highest-poverty schools, limited English proficient children, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance; (2) hold schools, local educational agencies, and states accountable for improving the academic achievement of all students and for identifying and turning around low-performing schools that have failed to provide a high-quality education to their students, while providing alternatives to students in such schools to enable the students to receive a high-quality education; and (3) improve and strengthen accountability, teaching, and learning by using state assessment systems designed to ensure that students are meeting challenging state academic achievement and content standards and increasing achievement overall, but especially for the disadvantaged.

States are required to hold all students to the same standards except that the achievement of students with significant cognitive disabilities may be based on alternate achievement standards. An alternate achievement standard is an expectation of performance that differs in complexity from a grade-level achievement standard and
is aligned to the state frameworks. The expectation is most students with disabilities will participate in the regular statewide assessment either without accommodations or with appropriate accommodations that are consistent with the accommodations provided during regular instruction.

Section 504 of the Rehabilitation Act of 1973

Section 504 is a national, civil rights law that prohibits discrimination against individuals with disabilities. Section 504 ensures that the child with a disability has equal access to an education. The child may receive accommodations. Section 504 does not require the school to provide an individualized educational program (IEP). Section 504 provides:

> *"No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this Title shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service."*

Section 504 protects *qualified individuals with disabilities.* Under this law, *individuals with disabilities* are defined as persons with a physical or mental impairment that substantially limits one or more major life activities. People who have a history of, or who are regarded as having a physical or mental impairment that substantially limits one or more major life activities, are also covered. In addition to meeting the above definition, for purposes of receiving services, education or training, *qualified individuals with disabilities* are persons who meet normal and essential eligibility requirements.

Participation in Components of the Mississippi Statewide Assessment System (MSAS)

Two requirements are applicable to all students regarding the MSAS:

1. All eligible students will participate in the state assessment program (MS Code 37-16-3 and 37-16-9).

2. Any student who exits high school with a standard high school diploma must pass the Subject Area Tests as required by MS Code 37-16-7 and SBE Policy 3800.

Participation of Students with Disabilities under IDEA

IDEA requires all states to develop guidelines for the participation of children with disabilities in the general education curriculum and in state assessments. Students with a disability under IDEA must participate in all applicable aspects of the assessment system.

Determining the Most Appropriate Assessments for Students with Disabilities

It is the responsibility of the IEP Committee to ensure maximum access to the general curriculum and to make decisions concerning the most appropriate assessments for students. Learning goals reflected in the IEP for students with disabilities are based on the Mississippi Curriculum Frameworks (MCF) or the Mississippi Extended Curriculum Frameworks (MECF). The standardized process for determining the most appropriate assessments for students with disabilities is based on an appropriately developed IEP. This process involves (1) determining the extent to which a student with disabilities is accessing the general statewide curriculum and (2) determining the most appropriate assessment(s) for accurately measuring performance and growth based on the content in the student's IEP.

The IEP Committee makes appropriate decisions concerning student assessment. These decisions are then documented in the IEP as required under IDEA. Depending on the student's IEP goals, present level of performance, and need for certain testing accommodations, each student with a disability will participate in statewide assessment programs in one of the following two ways:

- Being included in the general education curriculum and taking the regular statewide test(s) at "grade level" with any necessary allowable testing accommodations, and/or
- participating in one of the alternate/alternative assessment processes.

a) The alternative assessment process allows the assessment of students for whom an accurate measure of performance and progress cannot be obtained using the standard statewide testing programs even with appropriate accommodations, or

b) The alternate assessment process allows the assessment of students with significant cognitive disabilities who are assessed on the objectives described in the Mississippi Extended Curriculum Frameworks.

According to the U.S. Department of Education regulations regarding the assessment of students under the *No Child Left Behind Act of 2001* (NCLB), the only students who should be assessed using alternate assessments based on the Mississippi Extended Curriculum Frameworks are students who fall under the state's definition of Significantly Cognitively Disabled (SCD). All other students should be assessed on grade level standards using the regular state assessments with any necessary allowable accommodations.

The definition used to determine whether a student has a significant cognitive disability for NCLB accountability purposes is provided below.

Definition of Significant Cognitive Disability

A student's level of cognitive ability and adaptive skills may significantly prevent achievement of the academic content standards that have been identified as the standards of learning and achievement for students in Mississippi's public schools. Under the *No Child Left Behind Act* (NCLB), such a student may meet the criteria listed below to be classified as a student with a "significant cognitive disability." "Significant cognitive disability" is not a new, separate category of disability. A small number of students who have been diagnosed within one or more of the thirteen existing categories of disability (e.g., autism, multiple disabilities, traumatic brain injury, etc.) as defined by the *Individuals with Disabilities Education Act* may fall into the "significant cognitive disability" category due to the severity of their disability.

For a district to classify a student as having a "significant cognitive disability," all of the following must be true:

- The student demonstrates significant cognitive deficits **and** poor adaptive skill levels (as determined by that student's comprehensive assessment) that prevent participation in the standard academic curriculum or achievement of the academic content standards, even with accommodations and modifications.
- The student requires extensive direct instruction in both academic **and** functional skills in multiple settings to accomplish the application and transfer of those skills.
- The student's inability to complete the standard academic curriculum is not the result of excessive or extended absences or primarily the result of visual, auditory, or physical disabilities; emotional-behavioral disabilities; specific learning disabilities; or social, cultural, or economic differences.

The process for planning, conducting, and reporting the results of alternate assessments based on the Extended Curriculum Frameworks for SCD students and alternative assessments are provided in documents and training available through the Office of Student Assessment.

The rest of this section addresses the standardized process for determining what assessments are most appropriate.

Deciding Whether the Student is Eligible to be Assessed

According to the federal regulations, the (formal) assessment of students with disabilities is required to the extent that non-disabled students are assessed under state and district-wide assessment programs. In Mississippi, this includes the following list of students with disabilities:

1. in grades 3-8;
2. in a non-graded setting and are 8 to 13 years of age on September 1 of the current school year;
3. take high school courses or secondary vocational programs in which non-disabled students are tested; or
4. in grade 12 or in a non-graded setting and are 18 years of age on September 1 of the current school year who have not enrolled in Algebra I, Biology I, and English II and have not been assessed previously on Algebra I, Biology I, and English II. Remember, all students, including students with disabilities, must be included in the general education curriculum and take all required prerequisite courses prior to being placed in a tested subject area course.

Deciding What Assessments are Most Appropriate for the Student

Federal and state regulations require the IEP Committee to make the decision as to the most appropriate method of participation for a student with disabilities in each applicable component of the testing program.

Decisions about the assessment for a student with disabilities are made by the IEP Committee based on the answers to the following key questions:

- How does the student access the general education curriculum?
- What accommodation or support is required by the student to perform or participate meaningfully and productively in the general education curriculum?

It is important for the IEP Committee to be fully informed about the curriculum frameworks and assessments. The IEP Committee needs to know about the demands, administration conditions, and response requirements of the general assessment and about the alternate assessment. To the extent possible, and when appropriate, students with disabilities should be administered the state tests using allowable accommodations.

Decision Framework for IEP Committees to Use When Choosing an Assessment

How does the student access the general education curriculum?	What accommodation or support is required by the student to perform or participate meaningfully and productively in the general education curriculum?	Appropriate Assessment
The student is being instructed at grade or course level based on the Mississippi Curriculum Frameworks. A student may receive grade-level instruction but may not yet be performing on grade level.	None	General state assessment
	Needs accommodation in setting, timing/ scheduling, presentation, and/or response conditions	General state assessment with accommodations
	Needs a non-allowable accommodation	SATP2 Alternative Assessment covering the course curriculum competencies
The student is being instructed based on the Mississippi Extended Curriculum Frameworks.	Student with SCD ruling and needs extensive support	Alternate Assessment of Extended Curriculum Frameworks

Participation of Students with Disabilities under Section 504

Students with a disability under Section 504 must participate in all applicable aspects of the assessment system. These students may be provided allowable accommodations during statewide testing.

Participation of Students with a Temporary Physical Disability Resulting from an Illness or Injury

Students with a temporary physical disability resulting from an illness or injury, such as a broken limb or temporary vision loss, may be provided allowable accommodations during the statewide testing with written approval from the Office of Student Assessment.[1] District personnel must

[1] **For additional information, visit the MDE web site at http://www.mde.k12.ms.us/osa .**

document the specific accommodations needed by the student. Documentation must be maintained on file in the district.

Testing Accommodations

Purpose of the Testing Accommodations

Mississippi Code 37-16-9 ensures that appropriate testing accommodations are provided for eligible students. Testing accommodations are considered changes in testing procedures that provide students with disabilities under IDEA or under Section 504 of the Rehabilitation Act of 1973, and students with a temporary physical disability an equal opportunity to participate in testing situations and to demonstrate their knowledge and abilities. Accommodations can change the method in which test items are presented to a student and the method of the student's response to test items.

Accommodations fall under four general areas:

1. setting conditions,
2. timing/scheduling conditions,
3. presentation conditions, and
4. response conditions.

A student may need accommodations when testing in one content area but may not need them when testing in another content area. Accommodations are not intended to be a substitute for knowledge and abilities that a student has not achieved or to provide an unfair advantage but rather to address the specific needs of an individual student due to a disability and thereby minimize its effect.

If the test results are to be considered a valid measure of the student's achievement and knowledge, there are limits regarding the accommodations that may be made for a student. Accommodations that meet the following criteria are considered appropriate and allowable when assessing a student's achievement and knowledge:

1. The accommodations must not affect the validity of the test.
2. The accommodations must function only to allow the test to measure what it purports to measure.

An accommodation that does not meet the criteria above will not allow the test to measure what it purports to measure and therefore is considered a non-allowable testing accommodation. Use of non-allowable accommodations will result in test scores that are not an accurate measure of a student's achievement and knowledge; such results are therefore considered invalid scores. These results will not be included in summary statistics. Such scores will not be used to report the performance of students with disabilities to the public since the results of such tests are not statistically sound. Any student with an invalid score is considered not tested.

Principles for Accommodations

To the extent possible, and when appropriate, students with disabilities should be administered the state tests under standard conditions.

1. The accommodations that are to be used during regular classroom instruction and assessments are to be discussed, finalized, and documented in the current IEP or Section 504 Plan prior to the discussion and documentation of accommodations that are to be used during a state-mandated test administration. It should be noted that some accommodations that may be used routinely in the classroom may not be allowable for statewide tests. *Students who use non-allowable accommodations will be considered not tested for accountability purposes.*

2. Decisions regarding accommodations to be used should be made on an individual student basis. No accommodations should be provided unless necessary, and the fewest possible accommodations should be given. Accommodations should be chosen by first reviewing the approved list of accommodations available from the Office of Student Assessment. Remember that if a student is provided accommodations that are not allowable, the student may be put at a disadvantage when it is time to participate in state assessments. *Students tested with non-allowable accommodations will be considered not tested for accountability purposes.*

3. Questions to ask about accommodations:

   a. Does the accommodation interfere with what the test is designed to measure?
   b. Does the accommodation provide the answer to the student?

If the answer to either question is "yes," then the accommodation is <u>not</u> an allowable accommodation.

4. The following are "Guiding Principles" [1] for accommodations used during state-mandated test administrations. These principles were published by the Council for Exceptional Children:

   a. Do not assume that every student with disabilities needs assessment accommodations. Accommodations used in assessments should parallel accommodations used in instruction.

[1] *Council for Exceptional Children. (2000). Making assessment accommodations: A toolkit for educators. Reston, VA: Council for Exceptional Children, 17-19.*

   b. Obtain approval by the IEP Committee. The IEP Committee must determine the accommodations.

c. Base accommodations on student need. Accommodations should respond to the needs of the individual student and not be based on the category of the student's disability. Do not base decisions about whether to provide accommodations and what the accommodations should be on educational program placement (e.g., percentage of time the student spends in the general education classroom). While students with the same disability may tend to need the same or similar kinds of accommodations, using the category of the disability is not a sound basis for making decisions.

d. Be respectful of the student's cultural and ethnic background. When suggesting an accommodation, make sure the student and his or her family are comfortable with it. When working with a student who has limited English proficiency, consideration needs to be given to whether the assessment should be explained to the student in his or her native language or other mode of communication unless it is clearly not feasible to do so.

e. Integrate assessment accommodations into classroom instruction. Never introduce an unfamiliar accommodation to a student during an assessment. Preferably, the student should use the accommodation as part of regular instruction. At the very least, the student should have ample time to learn and practice using the accommodation prior to the assessment.

f. Know whether your state and/or district have an approved list of accommodations. Although the ultimate authority for making decisions about what accommodations are appropriate rests with the student's IEP Committee, many states and districts have prepared a list of officially approved accommodations. These lists vary widely from district to district or state to state. Generally, there are different documentation procedures depending on whether the accommodation is or is not found on the state-approved/district-approved list. Practitioners and families should consider the state laws and district policies.

g. Plan early for accommodations. Begin consideration of assessment accommodations long before the student will use them, so that he or she has sufficient opportunity to learn and feel comfortable.

h. Include students in decision making. Whenever possible, include the student in determining an appropriate accommodation. Find out whether the student perceives a need for the accommodation and whether he or she is willing to use it. If a student does not want to

use an accommodation (e.g., it is embarrassing or it is too cumbersome to use), the student probably will not use it.

i. Understand the purpose of the assessment. Select only those accommodations that do not interfere with the intent of the test. For example, if the test measures calculations, a calculator would provide the student with an unfair advantage. However, if the math test measures problem-solving ability, a calculator may be appropriate. Similarly, reading a test to a student would not present an unfair advantage unless the test measures reading ability.

j. Request only those accommodations that are truly needed. Too many accommodations may overload the student and prove detrimental. When suggesting more than one accommodation, make sure the accommodations are compatible (e.g., do not interfere with each other or cause an undue burden on the student).

k. Determine if the selected accommodation requires another accommodation. Some accommodations—such as having a test read aloud—may prove distracting for other students and therefore also may require a setting accommodation.

l. Provide practice opportunities for the student. Many standardized test formats are very different from teacher-made tests. This difference may pose problems for students. Most tests have sample tests or practice versions. While it is inappropriate to review the actual test with the student, practice tests are designed for this purpose. Teach students test-taking tips, such as knowing how much time is allotted and pacing oneself so as not to spend too much time on one item. Orient students to the test format or types of questions. For example, on multiple-choice tests, encourage students to read each choice carefully, eliminate the wrong choices, and then select their answer.

m. Remember that accommodations in test taking will not necessarily eliminate frustration for the student. Accommodations allow a student to demonstrate what he or she knows and can do. They are provided to meet a student's disability-related needs, not to give anyone an unfair advantage. Thus, accommodations will not in themselves guarantee a good score for a student or reduce test anxiety or other emotional reactions to the testing situation. Accommodations are intended to "level the playing field."

Determining the Need for Accommodations

Students with Disabilities Under IDEA

The need for an accommodation, as well as the type of accommodation, must be based on the regulations below:

1. Accommodations needed for the student to participate in a testing program must be listed on the student's current IEP as a modification or accommodation and provided as stated in the IEP.

2. In order to be allowable for statewide assessments, the accommodation must be based upon the individual student's learning needs, documented in the student's IEP, and used for routine classroom instruction.

3. IEP's will contain documentation of the accommodations utilized in the general education and special education environments.

4. An assistive technology device or interpreter necessary for participation in the testing program must be addressed on the IEP as a service provided for the student. It should be noted that some accommodations that are used routinely in the classroom may not be allowable for statewide tests. Test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested.

5. Students may take all tests with the allowable accommodation(s) addressed in their IEP. However, students who will exit with a regular high school diploma must pass the applicable subject area test(s) utilizing only allowable accommodations or the Subject Area Testing Program Alternative Assessment.

6. When documenting accommodations needed by a student to participate in each applicable component of the MSAS, school personnel must complete a review of accommodations addressed in the student's IEP. Classroom accommodations should be consistent with allowable accommodations provided for the state assessments as indicated in the IEP. Some accommodations that are used routinely in the classroom may not be allowable for statewide tests. The test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested. It is recommended that school personnel discuss with the parents the resulting impact of the decision to assess a student using a non-allowable accommodation(s) during any statewide test and that the decision be documented with a parent's signature.

Students with Disabilities Under Section 504

1. Students may take all tests with accommodations based on the accommodations addressed on their 504 Accommodation Plan and implemented in accordance with their plan.

2. Students who will exit with a regular high school diploma must pass the applicable subject area test(s) utilizing only allowable accommodations.

3. The 504 Accommodation Team must determine any accommodations needed by a student to participate in each applicable component of the MSAS by reviewing the accommodations in the student's 504 plan. Some accommodations that are used routinely in the classroom may not be allowable for statewide tests. The test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested. It is recommended that school personnel discuss with the parents the resulting impact of the decision to assess a student using a non-allowable accommodation(s) during any statewide test and that the decision be documented with a parent's signature.

Students with a Temporary Physical Disability Resulting from an Illness or Injury

1. Accommodations for a student with a temporary physical disability may be provided after receiving approval from the Office of Student Assessment. Requests for accommodations must be based on the professional discretion of the school principal and the district test coordinator following consultation with the student's teacher(s) regarding the necessary accommodations in the general education program. The Office of Student Assessment will determine whether the requested accommodation is allowable or non-allowable. Some accommodations that are used routinely in the classroom may not be allowable for statewide tests. The test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested.

2. Students who will exit with a regular high school diploma must pass the applicable subject area test(s) utilizing only allowable accommodations.

3. The student's teacher must document the specific accommodations needed by the student. Districts must use the state model form and attach substantiating documentation signed by a licensed medical doctor. This information must also be documented on the student's test answer booklet. Since the Office of Student Assessment (OSA) must approve the specific accommodations for a student, it is recommended that the district use the OSA approval for documentation.

Alternate Assessment of Extended Curriculum Frameworks

The Mississippi Alternate Assessment of Extended Curriculum Frameworks (MAAECF) for students with significant cognitive disabilities (SCD) focuses on knowledge and skills that are aligned with the academic content standards in the Mississippi Extended Curriculum

Frameworks (MECF) for language arts, mathematics, and science. The assessment focuses on less complex entry-level knowledge and skills in comparison to the general curriculum frameworks at various grade levels. The procedure for conducting an alternate assessment for students with significant cognitive disabilities is systematic and comprehensive; when followed appropriately, it yields recent, representative, and reliable scores based on evidence collected and evaluated by qualified raters.

The MAAECF has the following requirements:

1. IEP Committee members are responsible for deciding if a student with a disability is eligible to participate in the MAAECF or should participate in the general assessment with accommodations. To be eligible for the MAAECF, the IEP Committee must answer questions about the students' (1) cognitive deficits, (2) poor adaptive skills, (3) need for instructional support, and (4) source of difficulty with the general curriculum. It is not possible for a student to take one content area assessment on the general assessment and be assessed in the remaining content areas with the MAAECF.

2. The MAAECF items are aligned to a student's IEP goals and objectives. Alignment requires professional judgments and an understanding of the standards and competencies in the Mississippi Extended Curriculum Frameworks. One of the key aspects of the MAAECF that makes it a sensitive instrument for assessing individual students' performance is that there is an explicit responsibility for the teacher to identify content that is similar to or aligned with the student's IEP goals or objectives.

   Alignment does not necessarily mean one-to-one correspondence. It is likely that a student's IEP goals or objectives will have links to several items in the various content areas (e.g., reading, math, and/or science). It is important for the teacher to look at aligning a student's goals or objectives with the knowledge and skills items that have the strongest connection to a particular content area. It is also important to understand that not all IEP goals or objectives will align with the MECF, but the more alignment between IEP objectives and the MECF, the more instructionally relevant the assessment results are to the IEP Committee.

   The alignment of a student's IEP goals or objectives with the MECF is ultimately up to his/her teacher or IEP Committee members; however, the following questions have been helpful to educators making alignment decisions:

   a. What content area is emphasized in the objective? Is the primary focus reading, writing, mathematics, or science?
   b. Is the knowledge and/or skill being taught a prerequisite skill in a certain content area?
   c. What are the underlying concepts on which the student is working, and how are the concepts related to a particular knowledge and skill assessed on the MAAECF?

   The evidence that is collected for a student should be recent and representative of the student's learning. It is inappropriate to use evidence that was collected in a previous year

because it may no longer accurately represent what the student can do. Evidence must be from the current school year and kept one year for monitoring purposes.

3. Portfolios are comprised of evidence aligned with the IEP goals or objectives. If no items within a competency on the MAAECF are aligned with goals and objectives in the student's IEP, evidence must be collected for and the student rated on a minimum number of items in that competency. Evidence submitted for the baseline collection should be indicative of the student's initial performance of the task at the beginning of the instructional period. Evidence for the final collection period should reflect the student's level of achievement or progress after instruction. <u>All evidence must be dated to show it was completed during the current school year.</u>

   Ideally, the person gathering the evidence needs to spend at least a month to six weeks with a student before he/she begins the collection phase of the process. It is important to establish a relationship with the student so that ratings are reliable and representative of the student's learning. In addition, because observations are a valuable source of evidence for many items, teachers need time to observe and record their observations. Many teachers may have excellent progress monitoring sheets or daily observation records that will provide a good source of evidence for their ratings.

   Two types of evidence will be included for submission for each entry: Primary Evidence and Secondary Evidence. A minimum of two and a maximum of five pieces of evidence will be submitted per entry. Primary Evidence demonstrates knowledge and/or skills either through work produced by the student or by any means that shows the student's engagement in instructional tasks. Secondary Evidence documents, relates, charts, or interprets the student's performance on instructional tasks.

   For each targeted objective, the evidence will consist of two Primary pieces of evidence that show the student's baseline (initial) and final performances. Primary evidence may include

   - original work sample, teacher-made test/activity, or published test,
   - observation of the student while working on the assessed objective,
   - permanent product,
   - series of captioned photographs, or
   - video/audio file upload.

   Each targeted objective may also include at least one piece – but no more than three pieces – of Secondary Evidence to supplement the Primary evidence. This evidence must be based on a different – yet related and aligned task or activity – than those that were submitted as Primary Evidence. The tasks can differ in terms of the complexity of the activity, the materials used, and the type and frequency of prompting. Secondary Evidence should document the same objective but could provide additional information regarding the student's performance. Secondary evidence proves the opportunity for teachers to show consistency/generalization of student performance across settings, applications, or contexts or to ask students to try something a bit more challenging (greater depth or breadth) than the actual objective describes.

Types of Secondary Evidence could include

- data sheet, including charts or graphs,
- interview (parent, general education teacher, employer/community based work supervisor, related service staff),
- observation, observational record, or anecdotal record, or an additional but different piece of evidence

4. The student's teacher rates ALL items based on observations/evidence of the student and knowledge of his/her ***skills***. If the student is not directly observed exhibiting the skill, the skill should be elicited during the assessment period or the teacher should base the rating on related skills in the same competency domain that have been directly observed. Students should have access to the supports, accommodations, and assistive technology necessary to demonstrate the extent of their proficiency on the skills and concepts represented by each MAAECF item.

5. A second individual will need to review the collection of evidence and required forms assembled by the teacher () to ensure that all required items are included and clearly labeled. This second person could be the Special Education Director or another lead teacher who has been trained in the MAAECF process.

6. Results of the alternate assessment are summarized using one of four levels (Minimal, Basic, Proficient, or Advanced) that place a student on a common path to the Mississippi Extended Curriculum Frameworks and Data Collection Requirements (Content Clusters) in the domains of language arts, mathematics, and science. Results will be sent to the school districts and to the MDE Office of Research and Statistics for the purpose of monitoring both participation and accountability.

Subject Area Testing Program Alternative Assessment

The Subject Area Testing Program Alternative Assessment (SATP2 AA) is available for students with disabilities who may need an assessment in Algebra I, Biology I, English II, and U.S. History in order to meet the requirements for a diploma but cannot take the general assessment without using a non-allowable accommodation.

The Alternative Assessments in high stakes areas have the following requirements:

1. The student must have taken the general state assessment, with or without accommodations as appropriate, at least once and failed to pass.
2. The school district submits the SATP2 Alternative Assessment Request Form to the Office of Student Assessment.

3. The competencies measured on an Alternative Assessment are the same for all students. For example, the competencies assessed on the SATP2 AA for Algebra I are the same competencies assessed on the statewide Subject Area Test in Algebra I.
4. Evidence of Progress for a SATP2 AA portfolio is submitted to the state for scoring. The final portfolio score is used to satisfy a SATP2 examination requirement for graduation.

The student's teacher collects appropriate evidence of student progress during the school year using the assessment methods identified for each goal to be assessed. A minimum of 5 primary work samples per competency is required; a work sample should cover only one competency and only objectives within only that competency. Work samples must cover all objectives; therefore, 5 primary work samples may not be sufficient for certain competencies. Work samples should clearly support the competency/objective(s) indicated. The same work samples should not be duplicated and included for other competencies. See specific instructions for English II Multiple Choice - Reading/Vocabulary, if applicable.

Each work sample submitted as evidence must adhere to these principles:

- Provide complete demographic information on the student.
- Indicate the content area for which the work sample is being submitted.
- Indicate (numerically) what competency and objective the work sample covers.
- Indicate the competency and/or lesson plan that preceded the work sample.
- Indicate what the student will be able to accomplish as a result of the student's mastery of this competency.
- List the accommodations that the student uses routinely to perform the task independently, if applicable. Students with disabilities are allowed to use accommodations that are listed in the IEP.
- Provide the evidence and the date of the evidence collection. Evidence may be collected using a variety of methods. An audio taped assessment may be used for a student who is able to speak but may not be able to use his/her hand(s). An audiotape may also be used for a student who needs an oral test due to written expression deficits. A performance observation may be necessary to assess a motor skill for which no other method of assessment is appropriate. If a competency is assessed using a demonstration or performance observation, the activity *must* be observed by at least two people. State the name and position of each observer. Failure to provide complete information will invalidate the sample.
- Provide a brief description of the activity and, using the best professional judgment of the teacher, indicate the percentage of accuracy and independence with which the student performed the task.
- Each work sample must clearly indicate whether the work sample is primary or secondary evidence.
- Prior to the state review of student performance, all evidence of progress is submitted to the Special Education Director who sends the material to the MDE according to the schedule published by MDE. Included with the submission of the evidence to MDE

should be the Ethics in Data Collection form with original signatures along with all other information as indicated by the Office of Student Assessment. Failure to include signatures on the Ethics in Data Collection form will invalidate the sample.

5. According to the schedule published by MDE, the approved Alternative Assessment Review Committee evaluates the student's progress in meeting each competency based on the collected evidence. The raters provide independent ratings of the student's performance that are averaged to yield an overall performance/progress score from 0.0 through 3.0. The student is assigned to one of two conditions (Pass or Fail) based on the overall score.

   For Alternative Assessments, the SATP2 AA Review Committee includes personnel with expertise in the high school course in which high stakes assessment is administered. These raters are approved by the MDE Office of Student Assessment.

TESTING STUDENTS WITH DISABILITIES

PURPOSE

This document contains regulations necessary to implement State Board of Education Policy 7601 regarding the Mississippi Statewide Assessment System (MSAS) for students with disabilities. It is to be utilized by school personnel, parents, and students in making informed decisions regarding the MSAS.

The regulations in this document are in accordance with the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA 2004), and the *No Child Left Behind Act of 2001* (NCLB). A major focus of IDEA 2004 and NCLB is the inclusion of children with disabilities in the general education curriculum and in state and district-wide assessment programs or alternate assessments for those children who cannot participate in state or district-wide assessment programs.

This document is provided to assist with the decision-making processes regarding

13. the participation of students with disabilities in the Mississippi Statewide Assessment System;
14. testing accommodations; and
15. Alternate Assessment.

It is important that school personnel, parents, and students be knowledgeable of the requirements involved in making decisions regarding a student's participation in the MSAS and the accommodations for each component of the assessment system. The IEP ~~Team~~Committee should be aware of these requirements when determining the method of participation used to assess students appropriately with disabilities.

COMPONENTS OF THE MISSISSIPPI STATEWIDE ASSESSMENT SYSTEM (MSAS)

Currently, the MSAS consists of ~~three~~four components:

2. The Grade Level Testing Program (GTLP) consists of three components:

   d. Mississippi Curriculum Test, 2nd Edition (MCT2) – This component consists of criterion-referenced tests in language arts and mathematics administered to students in grades 3 – 8.

   e. Writing Assessments – This component consists of criterion-referenced performance writing assessments administered to students in grades 4 and 7.

   f. Mississippi Science Test – This component consists of criterion-referenced tests in science ~~tests~~ administered to students in grades 5 and 8. The test administered in grade 5 covers the science curriculum for grades 3 – 5, and the test administered in grade 8 covers the science curriculum for grades 6 – 8.

~~**the test administered in grade 8 covers the science curriculum for grades 6 – 8.**~~

2. The Subject Area Testing Program (~~SATP~~2nd Edition (SATP2) consists of four (4) criterion-referenced end-of-course tests administered for U.S. History from 1877, Algebra I, Biology I, and English II (with a writing component). Students are required to pass the subject area tests in order to receive a regular high school diploma.

3. The Mississippi Career Planning and Assessment System, 2nd Edition (MS-CPAS2) consists of occupation-specific criterion-referenced assessments required of all students who are completing a vocational program.

16. The Mississippi Alternate Assessment of Extended Curriculum (MAAECF) for Students with Significant Cognitive Disabilities is designed to assess the educational performance of students with disabilities who cannot participate in the general education curriculum, even with accommodations. Students in grades 3-8 and 12 who meet the state's three criteria which define significant cognitive disabilities (SCD) are eligible to participate in the MAAECF. In general, eligible students are those who have a history of requiring extensive individualized instruction and have been classified as being severely to profoundly cognitively disabled.

DEFINITIONS

These definitions apply to terms as they are used in this document:

5. Accommodation - An accommodation is a change in testing procedures that provides students with disabilities an equal opportunity to participate in testing situations and to demonstrate their knowledge and abilities. Without accommodations, the assessment may not accurately measure the student's knowledge and skills. Accommodations can change the method in which test items are presented to a student and the method of the student's response to test items. Allowable accommodations ensure that the test measures skills and knowledge rather than a student's disability. Accommodations are provided to "level the playing field." Non-allowable accommodations are accommodations that interfere with what the test purports to measure. Accommodations are grouped into the following categories: setting conditions, timing/scheduling conditions, presentation conditions, and response conditions.

6. Alternate Assessment - An alternate assessment is appropriate with students for whom an accurate measure of performance and progress cannot be obtained using the standard statewide testing programs even with allowable accommodations.

7. Mississippi Alternate Assessment of Extended Curriculum Frameworks (MAAECF) – This alternate assessment process is specifically designed for students ~~**with significant cognitive disabilities.**~~who meet the criteria to be classified as significantly cognitively disabled (SCD).

8. Eligible Student – Any student who must participate in MSAS is an eligible student. Eligible students include the following:

   - all students in grades 3 – 8;
   - all students enrolled in subject area testing program courses;
   - all students completing a vocational program;
   - ungraded students 8 to 13 years of age on September 1 of the current school ~~**year; and**~~
   - grade 12 students and ungraded students 18 years of age on September 1 of the current school year who have not enrolled in Algebra I, Biology I, and English II and have not taken a Subject Area Test for Algebra I, Biology I, and English II. Students who are not SCD and have not been included in the general education curriculum will be counted as not tested.

~~16.~~17. General Accommodations – These are allowable accommodations that can be utilized by both general education and special population students during classroom instruction and on the statewide tests.

~~17.~~18. Subject Area Alternative Assessment for Subject Area Tests– This alternative assessment process for the Subject Area Testing Program (~~**SATP**~~SATP2) is for students with disabilities under IDEA. It is for students that need a non-allowable accommodation to participate in the general state assessment.

~~18.~~19. IDEA – ~~**IDEA**~~ Refers to the current edition of *Individuals with Disabilities Education Act* ~~**amended by Congress on November 19, 2004**~~. IDEA emphasizes and requires that educational programs for students with disabilities be designed to ensure, to the maximum extent appropriate, their involvement in the general curriculum, and their participation in the general educational environment.

~~19.~~20. IEP – ~~**IEP refers to**~~ An Individualized Education Program document for students with disabilities developed by an inter-disciplinary team including the parent and, when appropriate, the student.

~~**9. Low Stakes Alternate Assessment – This is an alternate assessment process for the Grade Level Testing Program (grades 3 – 8) for non-SCD students with disabilities under IDEA.**~~

~~20.~~21. ~~**10.**~~ NCLB – Refers to the *No Child Left Behind Act of 2001* (NCLB) passed by Congress in December 2001. The NCLB addresses the inclusion of all students in state and district assessment and accountability systems, including students with disabilities.

~~21.~~22. Section 504~~–~~ Refers to a federal law, the *Rehabilitation Act of 1973*, designed to protect the rights of individuals with disabilities in programs and activities that receive federal funds from the U.S. Department of Education.

~~22.~~23. Mississippi Language Arts Curriculum Framework – This document contains the current standards for language arts instruction for students in the Mississippi public schools.

~~23.~~24. Mississippi Mathematics Curriculum Framework – This document contains the current standards for mathematics instruction for students in the Mississippi public schools.

Definition of Students with Disabilities

These regulations apply to students as defined below:

4. Students with disabilities under the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA) are students who have been evaluated and determined to have a disability and to be in need of special education in accordance with state regulations and regulations under IDEA. Students must (1) have current eligibility certification for a specific disability under IDEA, (2) have a current Individualized Education Program (IEP), and (3) receive special education services.

   Significant Cognitive Disability (SCD) – For a student to be classified as having a significant cognitive disability, all of the following must be true:

   d. The student demonstrates significant cognitive deficits and poor adaptive skill levels (as determined by that student's comprehensive assessment) that prevent participation in the standard academic curriculum or achievement of the academic content standards, even with accommodations.

   e. The student requires extensive direct instruction in both academic and functional skills in multiple settings to accomplish the application and transfer of those skills.

   f. The student's inability to complete the standard academic curriculum is not the result of excessive or extended absences or primarily the result of visual, auditory, or physical disabilities; emotional-behavioral disabilities; specific learning disabilities; or social, cultural, or economic differences.

5. Students with disabilities under Section 504 are students who have been determined to have a disability under Section 504 regulations, have a current 504 Accommodation Plan, and receive services based on the plan.

   ~~**Accommodation Plan, and receive special services based on the plan.**~~

6. ~~3.~~ Students with a temporary physical disability are students with a temporary physical disability resulting from an illness or injury, such as a broken limb or temporary vision loss may be provided allowable accommodations after receiving approval from the Office of Student Assessment.

BASIS OF REGULATIONS

State Law

Mississippi Code 37-16-3 requires that all eligible students enrolled in public school participate in the Mississippi Statewide Assessment System and that the school district superintendent certify annually that all eligible students enrolled in the designated grades/courses were tested. Students with disabilities are required to be included in the general education curriculum to the maximum extent possible even with the use of supplementary aides and services and in general statewide and district wide assessments with appropriate accommodations where necessary (MS Code 37-16-9 and 37-23-148).

Federal Law

Individuals with Disabilities Education Act

Congress amended the *Individuals with Disabilities Education Act* on November 19, 2004 (IDEA). IDEA emphasizes and requires that educational programs for students with disabilities be designed to ensure, to the maximum extent appropriate, their involvement in the general curriculum and their participation in the general educational environment. No student with a disability can be removed from the general education environment unless the nature or severity of the disability is such that education in regular classes with supplementary aids and services cannot be achieved satisfactorily. Based on these requirements, the majority of Individualized Education Programs (IEPs) for students with disabilities will be developed utilizing the general curriculum requirements with special education services focusing on direct instruction to assist a student to achieve the general education curriculum requirements.

IDEA also places emphasis on participation of students in state and district-wide testing programs and requires additional components for IEP development. Federal and state regulations require the IEP ~~Team~~Committee to make the decision as to the most appropriate method of participation for a student with disabilities in the each applicable component of the testing program. ~~IDEA also requires that the IEP Team indicate why a student will not be able to participate in an applicable statewide test and why the alternate means that will be used to assess the student's educational progress is appropriate. Parents are considered team members and have the opportunity to participate in their~~

If a student does not participate in a testing program, the reason(s) the test is not an appropriate instrument to measure the student's achievement must be documented on the IEP. Any student who is determined to be unable to participate in the MSAS via grade level testing must be provided an alternate assessment. IDEA requires the MDE to report to the public the number of students with disabilities who participate in the testing program and the number of students participating in alternate assessments. Also, the performance of those students who participate in the MSAS must be reported to the public if doing so would be statistically sound and would not result in the disclosure of performance results identifiable to individual students.

Parents are considered team members and have the opportunity to participate in their child's IEP meeting to make such decisions; therefore, they are included in the decision-making process. ~~While parents may elect for their child to participate and while any student who wishes to participate in an applicable testing program will be allowed to do so, parents cannot make the determination of non-participation in a testing program.~~

The IEP ~~Team~~Committee must list the accommodations necessary for the student to participate in the testing program. Federal ~~law requires~~regulations require that any accommodation that is needed by the student to participate in the testing situation be listed on the student's IEP. Congress included this requirement due to the belief that large numbers of students with disabilities were exempted from participation, leading to the appearance that these students were not capable learners. ~~Also, it is believed that mass exemptions may~~
~~lower the expectations school personnel hold for these students and may also affect students' own perceptions and those of their peers.~~ The list of accommodations necessary for participation must be addressed on a student's IEP.

IDEA requires all States to reevaluate the procedures for participation and the need for excluding test scores. When a student participates in the testing program with accommodations that are not allowable for a particular test, the student's scores will be excluded from the statistical summaries. The IEP ~~Team~~Committee concentrates on which accommodations are needed by the student to participate successfully in the classroom setting and in statewide testing. It is not the IEP ~~Team's~~Committee's responsibility to determine if accommodations are allowable or non-allowable or whether a student's scores will be excluded from the statistical summaries. However, it is important for the IEP ~~Team~~Committee to be aware that certain accommodations are not allowable for components of the MSAS. This knowledge is especially essential when planning educational programs for students with disabilities who would like to receive a ~~regular~~standard high school diploma. The determination of whether an accommodation is allowable is made by the Mississippi Department of Education, Office of Student Assessment.

~~If a student does not participate in a testing program, the reason(s) the test is not an appropriate instrument to measure the student's achievement must be documented on the IEP. Any student who is determined to be unable to participate in the MSAS via grade level testing must be provided an alternate assessment. IDEA requires the MDE report to the public the number of students with disabilities who participate in the testing program and the number of students participating in alternate assessments. Also, the performance of those students who participate in the MSAS must be reported to the public if doing so would be statistically sound and would not result in the disclosure of performance results identifiable to individual students.~~

No Child Left Behind Act of 2001

Congress passed the *No Child Left Behind Act of 2001* (NCLB) in December 2001, and President Bush signed it into law on January 8, 2002. Section 1001 of NCLB identifies the purpose of the act, which is to ensure that all children have a fair, equal, and significant opportunity to obtain a

high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments. In order to accomplish the objectives set forth in NCLB, states must (1) meet the educational needs of low-achieving children in our Nation's highest-poverty schools, limited English proficient children, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance; (2) hold schools, local educational agencies, and states accountable for improving the academic achievement of all students and for identifying and turning around low-performing schools that have failed to provide a high-quality education to their students, while providing alternatives to students in such schools to enable the students to receive a high-quality education; and (3) improve and strengthen accountability, teaching, and learning by using state assessment systems designed to ensure that students are meeting challenging state academic achievement and content standards and increasing achievement overall, but especially for the disadvantaged.

States are required to hold all students to the same standards except that the achievement of students with ~~the most~~ significant cognitive disabilities may be based on alternate achievement standards. An alternate achievement standard is an expectation of performance that differs in complexity from a grade-level achievement standard. The expectation is most students with disabilities will participate in the regular statewide assessment either without accommodations or with appropriate accommodations that are consistent with the accommodations provided during regular instruction.

Section 504 of the Rehabilitation Act of 1973

Section 504 is a national, civil rights law that prohibits discrimination against individuals with disabilities. Section 504 ensures that the child with a disability has equal access to an education. The child may receive accommodations. Section 504 does not require the school to provide an individualized educational program (IEP). Section 504 provides:

~~**the school to provide an individualized educational program (IEP). Section 504 provides:**~~

> *"No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this Title shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service."*

Section 504 protects *qualified individuals with disabilities.* Under this law, *individuals with disabilities* are defined as

persons with a physical or mental impairment that substantially limits one or more major life activities. People who have a history of, or who are regarded as having a physical or mental impairment that substantially limits one or more major life activities, are also covered. In addition to meeting the above definition, for purposes of receiving services, education or training, *qualified individuals with disabilities* are persons who meet normal and essential eligibility requirements.

PARTICIPATION IN COMPONENTS OF THE MISSISSIPPI STATEWIDE ASSESSMENT SYSTEM (MSAS)

Two requirements are applicable to all students regarding the MSAS:

3. All eligible students will participate in the state assessment program (MS Code 37-16-3 and 37-16-9).

4. Any student who exits high school with a ~~regular~~standard high school diploma must pass the Subject Area Tests as required by MS Code 37-16-7 and SBE Policy.

Participation of Students with Disabilities under IDEA

IDEA requires all states to develop guidelines for the participation of children with disabilities in the general education curriculum and in state assessments. Students with a disability under IDEA must participate in all applicable aspects of the assessment system.

Determining the Most Appropriate Assessments for Students with Disabilities

~~Determining the Most Appropriate Assessments for Students with Disabilities~~

It is the responsibility of the IEP ~~**Team**~~Committee to ensure maximum access to the general curriculum and to make decisions concerning the most appropriate assessments for students. Learning goals reflected in the IEP for students with disabilities ~~**should be**~~are based on the Mississippi Curriculum Frameworks ~~**or**~~(MCF) or the Mississippi Extended Curriculum Frameworks (MECF). The standardized process for determining the most appropriate assessments for students with disabilities is based on an appropriately developed IEP. This process involves (1) determining the

extent to which a student with disabilities is accessing the general statewide curriculum and (2) determining the most appropriate assessment(s) for accurately measuring performance and growth based on the content in the student's IEP.

The IEP ~~Team~~Committee makes appropriate decisions concerning student assessment. These decisions are then documented in the IEP as required under IDEA. Depending on the student's IEP goals, present level of performance, and need for certain testing accommodations, ~~he/she~~each student with a disability will participate in statewide assessment programs in one of the ~~two~~ following two ways:

- Being included in the general education curriculum and taking the regular statewide test(s) at "grade level" with any necessary allowable testing accommodations, and/or
- participating in one of the alternate/alternative assessment processes.

The alternate/alternative assessment process allows the assessment of

a) students for whom an accurate measure of performance and progress cannot be obtained using the standard statewide

testing programs even with appropriate accommodations, or

b) students with significant cognitive disabilities who are assessed on the objectives described in the Mississippi Extended Curriculum Frameworks.

According to the U.S. Department of Education regulations regarding the assessment of students under the *No Child Left Behind Act of 2001* (NCLB), the only students who should be assessed using alternate assessments based on the Mississippi Extended Curriculum Frameworks are students who fall under the state's definition of Significantly Cognitively Disabled (SCD). All other students should be assessed ~~against~~on grade level standards using the regular state assessments with any necessary allowable accommodations.

The definition used to determine whether a student has a significant cognitive disability for NCLB accountability purposes is provided below.

~~Definition of~~

Significant Cognitive Disability

~~A student's level of cognitive ability and adaptive skills may significantly prevent achievement of the academic content standards that have been identified as the standards of learning and achievement for students in Mississippi's public schools. Under the *No Child Left Behind Act* (NCLB), such a student may meet the criteria listed below to be classified as a student with a "significant cognitive disability." "Significant cognitive disability" is not a new, separate category of disability. A small number of students who have been diagnosed within one or more of the thirteen existing categories of disability (e.g., autism, multiple disabilities, traumatic brain injury, etc.) as defined by the *Individuals with Disabilities Education Act* may fall into the~~

~~**"significant cognitive disability" category due to the severity of their disability.**~~

~~**For a district to classify a student as having a "significant cognitive disability," all of the following must be true:**~~

- ~~**The student demonstrates significant cognitive deficits and poor adaptive skill levels (as determined by that student's comprehensive assessment) that prevent participation in the standard academic curriculum or achievement of the academic content standards, even with accommodations and modifications.**~~
- ~~**The student requires extensive direct instruction in both academic and functional skills in multiple settings to accomplish the application and**~~

~~transfer of those skills.~~

- ~~The student's inability to complete the standard academic curriculum is not the result of excessive or extended absences or primarily the result of visual, auditory, or physical disabilities; emotional-behavioral disabilities; specific learning disabilities; or social, cultural, or economic differences.~~

Definition of Significant Cognitive Disability

A student's level of cognitive ability and adaptive skills may significantly prevent achievement of the academic content standards that have been identified as the standards of learning and achievement for students in Mississippi's public schools. Under the *No Child Left Behind Act* (NCLB), such a student may meet the criteria listed below to be classified as a student with a "significant cognitive disability." "Significant cognitive disability" is not a new, separate category of disability. A small number of students who have been diagnosed within one or more of the thirteen existing categories of disability (e.g., autism, multiple disabilities, traumatic brain injury, etc.) as defined by the *Individuals with Disabilities Education Act* may fall into the "significant cognitive disability" category due to the severity of their disability.

For a district to classify a student as having a "significant cognitive disability," all of the following must be true:

- The student demonstrates significant cognitive deficits **and** poor adaptive skill levels (as determined by that student's comprehensive assessment) that prevent participation in the standard academic curriculum or achievement of the academic content standards, even with accommodations and modifications.
- The student requires extensive direct instruction in both academic **and** functional skills in multiple settings to accomplish the application and transfer of those skills.

The process for planning, conducting, and reporting the results of alternate assessments based on the Extended Curriculum Frameworks for SCD students and alternative assessments are provided in documents and training available through the Office of Student Assessment.

The rest of this section addresses the standardized process for deciding whether a student is eligible for assessment and determining what assessments are most appropriate.

Deciding Whether the Student is Eligible to be Assessed

According to the ~~law~~federal regulations, the (formal) assessment of students with disabilities is required to the extent that non-disabled students are assessed under state and district-wide assessment programs. In Mississippi, this ~~law~~ includes the following list of students with disabilities:

5. ~~**1. are**~~ in grades 3-8;
6. ~~**2. are**~~ in a non-graded setting and are 8 to 13 years of age on September 1 of the current school year;

7. ~~3.~~ take high school courses or secondary vocational programs in which non-disabled students are tested; or
8. ~~4. are~~ in grade 12 or in a non-graded setting and are 18 years of age on September 1 of the current school year who have not enrolled in Algebra I, Biology I, and English II and have not been assessed previously on a state Subject Area Test for Algebra I, Biology I, and English II. Remember, all students, including students with disabilities, must be included in the general education curriculum and take all required prerequisite courses prior to being placed in a tested subject area course.

Deciding What Assessments are Most Appropriate for the Student

Federal and state regulations require the IEP ~~Team~~Committee to make the decision as to the most appropriate method of participation for a student with disabilities in each applicable component of the testing program.

Decisions about the assessment for a student with disabilities are made by the IEP

~~Team~~Committee based on the answers to the following key questions:

- ~~•~~ How does the student access the general education curriculum?

- ~~•~~ What accommodation or support is required by the student to perform or participate meaningfully and productively in the general education curriculum?

It is important for the IEP ~~**Team**~~Committee to be fully informed about the curriculum frameworks and assessments. The IEP ~~**Team**~~Committee needs to know about the demands, administration conditions, and response requirements of the general assessment and about the alternate assessment. To the extent possible, and when appropriate, students with disabilities should be administered the state tests ~~**under standard conditions**~~using allowable accommodations.

Decision Framework for IEP ~~Teams~~Committees to Use When Choosing an Assessment

me student access ral education riculum?	**What accommodation or support is required by the student to perform or participate meaningfully and productively in the general education curriculum?**	**What assessment is appropriate for the student?**
dent is being t grade or course on the Mississippi Frameworks. A y receive grade-ction but may not orming on grade level.	None	General state assessment
	Needs accommodation in setting, timing/ scheduling, presentation, and/or response conditions	General state assessment with accommodations
	Needs ~~an~~a` non-allowable accommodation	An alternate assessment covering the grade level goals and objectives in the IEP or an alternative assessment covering the course curriculum competencies
dent is being d based on the ppi Extended m Frameworks.	Student with SCD ruling and needs extensive ~~supports~~support	Alternate Assessment of Extended Curriculum Frameworks

The IEP ~~Team~~Committee should make this decision separately for each subject as a student may be accessing the curriculum differently depending on the content.

~~**If the IEP Team has determined that the student will receive a**~~

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~~special education certificate or special diploma instead of a regular high school diploma, the student is not required to take the subject area tests unless the student is enrolled in a subject area course. This decision must be documented on the student's IEP or in the student's education record. It is required that the signature of the parent or guardian be maintained on file in the district to document this decision has been discussed with the parent or guardian.~~

~~Determining the Most Appropriate Assessments for Students with Disabilities~~

~~FLOWCHART~~

~~Step 1~~

~~Step 2~~

~~Develop student's IEP providing maximum access to the general curriculum.~~

~~Decide whether student is eligible (see page 10).~~

~~If "No," Stop.~~

~~Step 3~~

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~~Page 11):~~

~~For Alternate/~~

~~For On-Grade and Alternative – High S~~

~~Collect data during school year. Conduct the Alternate/ Alternative Assessments.~~

~~**Work with school and district level testing coordinators regarding statewide assessments and accommodations.**~~

Participation of Students with Disabilities under Section 504

Students with a disability under Section 504 must participate in all applicable aspects of the assessment system. These students may be provided allowable accommodations during statewide testing.

Participation of Students with a Temporary Physical Disability Resulting from an Illness or Injury

Students with a temporary physical disability resulting from an illness or injury, such as a broken limb or temporary vision loss, may be provided allowable accommodations during the statewide testing with written approval from the Office of Student Assessment. District personnel must document the specific accommodations needed by the student. Documentation must be maintained on file in the district. For additional information, ~~see the *Testing Accommodations* section of these *Regulations*~~visit the MDE web site at: http://www.mde.k12.ms.us/osa .

TESTING ACCOMMODATIONS

Purpose of the Testing Accommodations

Mississippi Code 37-16-9 ensures that appropriate testing accommodations are provided for eligible students. Testing accommodations are considered changes in testing procedures that provide students with disabilities under IDEA or under Section 504 of the Rehabilitation Act of 1973, and students with a temporary physical disability an equal opportunity to participate in testing situations and to demonstrate their knowledge and abilities. Accommodations can change the method in which test items are presented to a student and the method of the student's response to test items.

Accommodations fall under four general areas:

5. ~~1)~~ setting conditions,
6. ~~2)~~ timing/scheduling conditions,
7. ~~3)~~ presentation conditions, and
8. ~~4)~~ response conditions.

A student may need accommodations when testing in one content area but may not need them when testing in another content area. Accommodations are not intended to be a substitute for knowledge and abilities that a student has not achieved or to provide an unfair advantage but rather to address the specific needs of an individual student due to a disability and thereby minimize its effect.

If the test results are to be considered a valid measure of the student's achievement and knowledge, there are limits regarding the accommodations that may be made for a student.

Accommodations that meet the following criteria are considered appropriate and allowable when assessing a student's achievement and knowledge:

3. ~~1.~~ The accommodations must not affect the validity of the test.
4. ~~2.~~ The accommodations must function only to allow the test to measure what it purports to measure.

An accommodation that does not meet the criteria above will not allow the test to measure what it purports to measure and therefore is considered a non-allowable testing accommodation. Use of non-allowable accommodations will result in test scores that are not an accurate measure of a student's achievement and knowledge; such results are therefore considered invalid scores. These results will not be included in summary statistics. Such scores will not be used to report the performance of students with disabilities to the public since the results of such tests are not statistically sound. Any student with an invalid score is considered not tested.

Principles for Accommodations

To the extent possible, and when appropriate, students with disabilities should be administered the state tests under standard conditions.

5. ~~1.~~ The accommodations that are to be used during regular classroom instruction and assessments are to be discussed, finalized, and documented in the current IEP or Section 504 Plan prior to the discussion and documentation of accommodations that are to be used during a state-mandated test administration. It should be noted that some accommodations that may be used routinely in the classroom may not be allowable for statewide tests. *Students who use non-allowable accommodations will be considered not tested for accountability purposes.*

6. ~~2.~~ Decisions regarding accommodations to be used should be made on an individual student basis. No accommodations should be provided unless necessary, and the fewest possible accommodations should be given. Accommodations should be chosen by first reviewing the approved list of accommodations available from the Office of Student Assessment. Remember that if a student is provided accommodations that are not allowable, the student may be put at a disadvantage when it is time to participate in state assessments. *Students tested with non-allowable accommodations will be considered not tested for accountability purposes.*

7. ~~3.~~ Questions to ask about accommodations:

   c. ~~a.~~ Does the accommodation interfere with what the test is designed to measure?
   d. ~~b.~~ Does the accommodation provide the answer to the student?

If the answer to either question is "yes," then the accommodation is not an allowable accommodation.

8. ~~4.~~ The following are "Guiding Principles"[1] for accommodations used during state-mandated test administrations. These principles were published by the Council for Exceptional Children:

a. ~~a.~~ Do not assume that every student with disabilities needs assessment accommodations. Accommodations used in assessments should parallel accommodations used in instruction.

[1] *Council for Exceptional Children. (2000). Making assessment accommodations: A toolkit for educators. Reston, VA: Council for Exceptional Children, 17-19.*

b. ~~b.~~ Obtain approval by the IEP ~~Team~~Committee. The IEP ~~Team~~Committee must determine the accommodations.

c. ~~c.~~ Base accommodations on student need. Accommodations should respond to the needs of the individual student and not be based on the category of the student's disability. Do not base decisions about whether to provide accommodations and what the accommodations should be on educational program placement (e.g., percentage of time the student spends in the general education classroom). While students with the same disability may tend to need the same or similar kinds of accommodations, using the category of the disability is not a sound basis for making decisions.

d. ~~d.~~ Be respectful of the student's cultural and ethnic background. When suggesting an accommodation, make sure the student and his or her family are comfortable with it. When working with a student who has limited English proficiency, consideration needs to be given to whether the assessment should be explained to the student in his or her native language or other mode of communication unless it is clearly not feasible to do so.

e. ~~e.~~ Integrate assessment accommodations into classroom instruction. Never introduce an unfamiliar accommodation to a student during an assessment. Preferably, the student should use the accommodation as part of regular instruction. At the very least, the student should have ample time to learn and practice using the accommodation prior to the assessment.

f. ~~f.~~ Know whether your state and/or district have an approved list of accommodations. Although the ultimate authority for making decisions about what accommodations are appropriate rests with the student's IEP ~~Team~~Committee, many states and districts have

prepared a list of officially approved accommodations. These lists vary widely from district to district or state to state. Generally, there are different documentation procedures depending on whether the accommodation is or is not found on the state-approved/district-approved list. Practitioners and families should consider the state laws and district policies.

g. ~~g.~~ Plan early for accommodations. Begin consideration of assessment accommodations long before the student will use them, so that he or she has sufficient opportunity to learn and feel comfortable.

h. ~~h.~~ Include students in decision making. Whenever possible, include the student in determining an appropriate accommodation. Find out whether the student perceives a need for the accommodation and whether he or she is willing to use it. If a student does not want to use an accommodation (e.g., it is embarrassing or it is too cumbersome to use), the student probably will not use it.

i. ~~i.~~ Understand the purpose of the assessment. Select only those accommodations that do not interfere with the intent of the test. For example, if the test measures calculations, a calculator would provide the student with an unfair advantage. However, if the math test measures problem-solving ability, a calculator may be appropriate. Similarly, reading a test to a student would not present an unfair advantage unless the test measures reading ability.

j. ~~j.~~ Request only those accommodations that are truly needed. Too many accommodations may overload the student and prove detrimental. When suggesting more than one accommodation, make sure the accommodations are compatible (e.g., do not interfere with each other or cause an undue burden on the student).

k. ~~k.~~ Determine if the selected accommodation requires another accommodation. Some accommodations—such as having a test read aloud—may prove distracting for other students and therefore also may require a setting accommodation.

l. ~~l.~~ Provide practice opportunities for the student. Many standardized test formats are very different from teacher-made tests. This difference may pose problems for students. Most tests have sample tests or practice versions. While it is inappropriate to review the actual test with the student, practice tests are designed for this purpose. Teach students test-taking tips, such as knowing how much time is allotted and pacing oneself so as not to spend

too much time on one item. Orient students to the test format or types of questions. For example, on multiple-choice tests, encourage students to read each choice carefully, eliminate the wrong choices, and then select their answer.

m. ~~m.~~ Remember that accommodations in test taking will not necessarily eliminate frustration for the student. Accommodations allow a student to demonstrate what he or she knows and can do. They are provided to meet a student's disability-related needs, not to give anyone an unfair advantage. Thus, accommodations will not in themselves guarantee a good score for a student or reduce test anxiety or other emotional reactions to the testing situation. Accommodations are intended to "level the playing field."

Determining the Need for Accommodations

Students with Disabilities Under IDEA

The need for an accommodation, as well as the type of accommodation, must be based on the regulations below:

7. ~~1.~~ Accommodations needed for the student to participate in a testing program must be listed on the student's current IEP as a modification or accommodation and provided as stated in the IEP.

8. ~~2.~~ In order to be allowable for statewide assessments, the accommodation must be based upon the individual student's learning needs, documented in the student's IEP, and used for routine classroom instruction.

9. ~~3.~~ IEP's will contain documentation of the accommodations utilized in the general education and special education environments.

10. ~~4.~~ An assistive technology device or interpreter necessary for participation in the testing program must be addressed on the IEP as a service provided for the student. It should be noted that some accommodations that are used routinely in the classroom may not be allowable for statewide tests. Test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested.

11. ~~5.~~ Students may take all tests with the accommodations addressed in their IEP. However, students who will exit with a regular high school diploma must pass the applicable subject area test(s) utilizing only allowable accommodations or the Alternative Assessment for Subject Area Testing.

12. ~~6.~~ When documenting accommodations needed by a student to participate in each applicable component of the MSAS, school personnel must complete a review of

accommodations addressed in the student's IEP. Classroom accommodations should be consistent with allowable accommodations provided for the state assessments as indicated in the IEP. Some accommodations that are used routinely in the classroom may not be allowable for statewide tests. The test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested. It is recommended that school personnel discuss with the parents the resulting impact of the decision to assess a student using a non-allowable accommodation(s) during any statewide test and that the decision be documented with a parent's signature.

Students with Disabilities Under Section 504

4. ~~1.~~ Students may take all tests with accommodations based on the accommodations addressed on their 504 Accommodation Plan and implemented in accordance with their plan.

5. ~~2.~~ Students who will exit with a regular high school diploma must pass the applicable subject area test(s) utilizing only allowable accommodations.

4. ~~Students who will exit with a regular high school diploma must pass the applicable subject area test(s) utilizing only allowable accommodations.~~

~~5.~~6. ~~3.~~ The 504 Accommodation Team must determine any accommodations needed by a student to participate in each applicable component of the MSAS by reviewing the accommodations in the student's 504 plan. Some accommodations that are used routinely in the classroom may not be allowable for statewide tests. The test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested. It is recommended that school personnel discuss with the parents the resulting impact of the decision to assess a student using a non-allowable accommodation(s) during any statewide test and that the decision be documented with a parent's signature

Students with a Temporary Physical Disability Resulting from an Illness or Injury

5. ~~1.~~ Accommodations for a student with a temporary physical disability may be provided after receiving approval from the Office of Student Assessment. Requests for accommodations must be based on the professional discretion of the school principal and the district test coordinator following consultation with the student's teacher(s) regarding the necessary accommodations in the general education program. The Office of Student Assessment will determine whether the requested accommodation is allowable or non-allowable. Some accommodations that are used routinely in the classroom may not be allowable for statewide tests. The test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested.

6. Students who will exit with a regular high school diploma must pass the applicable subject area test(s) utilizing only allowable accommodations.

allowable for statewide tests. The test results of students who use non-allowable accommodations are invalid and must be excluded from summary statistics. Any student with an invalid score is considered not tested.

2. Students who will exit with a regular high school diploma must pass the applicable subject area test(s) utilizing only allowable accommodations.

7. **3.** The student's teacher must document the specific accommodations needed by the student. Districts **may develop a form or** must use the state model form. This information must also be documented on the student's test answer booklet. Since the Office of Student Assessment (OSA) must approve the specific accommodations for a student, it is recommended that the district use the OSA approval for documentation.
OSA approval for documentation.

Petition for Special Consideration

In rare instances, students may require special consideration for an accommodation not provided for in the allowable accommodations approved by the Office of Student Assessment. In such cases, the local school district superintendent or district test coordinator may make a petition for special consideration to the Office of Student Assessment. Such a petition must clearly contain the following:

- **the student's identifying information,**
- **the assessment for which the accommodation is requested,**
- **a description of the requested accommodation,**
- **the reason that the special consideration is necessary,**
- **supporting information and documentation, and**
- **district test coordinator signature.**

This type of request must be submitted to the Office of Student Assessment no later than four weeks (20 working days) in advance of the test administration to allow for appropriate review and response to the school district. Submission of the request early in the school year is recommended to allow the student adequate time to use the accommodation or to allow for the request to be re-submitted with revisions in the event the original request is denied. District personnel may develop a form or use the Accommodation Request Form for making this request.

~~ALTERNATE AND ALTERNATIVE ASSESSMENT~~

~~**When the IEP Team determines that an Alternate or Alternative Assessment is appropriate for the student, the assessment is then planned and conducted. Materials and procedures have been developed to aid the IEP Team in planning and implementing appropriate Alternate or Alternative Assessments. There are important differences in the Alternate Assessment of Extended Curriculum Frameworks for students with significant cognitive disabilities (SCD), the Alternative Assessments for Subject Area Tests, and the Alternate Assessment for low stakes assessments for non-significantly cognitively disabled (non-SCD) students.**~~

~~Comparison of Alternate/Alternative Assessments~~

~~Issue~~	~~Mississippi Alternate Assessment of Extended Curriculum Frameworks~~	~~Alternative Assessment for Subject Area Tests~~	~~Low Stakes Alternate Assessment for non-~~
~~Purpose of the assessment~~	~~To measure the achievement of students with significant cognitive disabilities as articulated in the Extended~~	~~To assess students with disabilities who are unable to participate in the Algebra I, Biology I, English II, or U.S. History from 1877 tests,~~	~~To assess students with disabilities who are unable to participate in general grade-level assessments, even when~~
~~Measurable goals and objectives to be assessed~~	~~The objectives are based on the Mississippi Extended Curriculum~~	~~The objectives are the same as those measured on the statewide~~	~~The IEP Team selects appropriate goals and objectives from the IEP.~~

~~Early handling of the Alternate or Alternative Assessment form.~~	~~Plan for the collection of evidence.~~	~~Notify the MDE Office of Student Assessment of intent to submit an~~	~~List appropriate goals/objectives and identify appropriate assessment~~
~~Evidence of Progress (EOP)~~	~~Evidence for each curriculum competency is collected.~~ ~~All evidence is maintained~~	~~Restrictions may apply concerning the evidence of progress that can be used.~~ ~~All evidence is submitted to MDE for review.~~	~~No restrictions on evidence of progress.~~ ~~All evidence is maintained and reviewed locally.~~
~~Review of EOP and rating of student performance~~	~~Conducted locally by two independent raters familiar with the student; student level of performance~~	~~Conducted at the state level by an approved/external Alternative Assessment~~	~~Conducted locally by the Alternate Assessment Review Committee; results sent to MDE~~

~~[1]Note that students participating in this assessment are not counted as tested for NCLB Adequate Yearly Progress accountability purposes.~~

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~~**Alternate Assessment of Extended Curriculum Frameworks**~~

Alternate Assessment of Extended Curriculum Frameworks

The Mississippi Alternate Assessment of Extended Curriculum Frameworks (MAAECF) for Students with Significant Cognitive Disabilities (SCD) focuses on knowledge and skills that are aligned with the academic content standards in the Mississippi Extended Curriculum Frameworks for language arts, mathematics, and science. The assessment focuses on less complex entry-level knowledge and skills in comparison to the general curriculum frameworks at various grade levels. The procedure for conducting an alternate assessment for students with significant cognitive disabilities is systematic and comprehensive; when followed appropriately, it yields recent, representative, and reliable scores based on evidence collected and evaluated by qualified educators.

The MAAECF has the following requirements:

7. ~~1.~~ A student's IEP ~~Team~~Committee must determine whether a student is eligible for the MAAECF. IEP ~~Team~~Committee members are responsible for deciding if a student with a disability is eligible to participate in the MAAECF or should ~~be taking part or all of~~participate in the ~~regular~~general assessment with accommodations. To be eligible for the MAAECF, the IEP ~~Team~~Committee must answer questions about the students' (1) curriculum, (2) present level of educational performance, (3) need for instructional support, and (4) source of difficulty with the general curriculum. Each of the four questions must be considered with respect to each of the content areas to be assessed. It is not possible~~, but unusual,~~ for a student to take one content area assessment on the general assessment and be assessed in the remaining content areas with the MAAECF.

8. ~~2.~~ The MAAECF items are aligned to a student's IEP goals and objectives. Alignment requires professional judgments and an understanding of the standards and competencies in the state's Extended Curriculum Frameworks. One of the key aspects of the MAAECF that makes it a sensitive instrument for assessing individual students' performance is that there is an explicit responsibility for the teacher evaluator to identify content on the rating scale that is similar to or aligned with the student's IEP goals or objectives.

   Alignment does not necessarily mean one-to-one correspondence. It is likely that a student's IEP goals or objectives will have links to several items in the various content areas (e.g., reading, writing, or math). It is important for the rater to look at aligning a student's goals or objectives with the knowledge and skills items that have the strongest connection to a particular content area. It is also important to understand that not all IEP goals or objectives will align with items on the MAAECF, but the more alignment between IEP objectives and MAAECF items, the more instructionally relevant the assessment results are to the IEP ~~Team~~Committee.

   The alignment of a student's IEP goals or objectives with items on the MAAECF Rating Scale is ultimately up to his/her teacher or IEP ~~Team~~Committee members; however, the following questions have been helpful to educators making alignment decisions:

~~**the following questions have been helpful to educators making alignment decisions:**~~

a. What content area is emphasized in the objective? Is the primary focus reading, writing, mathematics, or science?
b. Is the knowledge and/or skill being taught a prerequisite skill in a certain content area?
c. What are the underlying concepts on which the student is working, and how are the concepts related to a particular knowledge and skill assessed on the MAAECF?

~~**3. Evidence from at least two different categories must be collected and evaluated for each of the items aligned with an IEP goal or objective. Teachers' ratings and summary performance level judgments must be based on substantial and tangible evidence or data. In most classrooms, evidence or data about the functioning of students is plentiful. For purposes of the MAAECF, evidence can be categorized into six general areas: work samples, published tests, observations, interviews, videos/photos, and audiotapes. A teacher must collect at least two pieces of evidence for each item aligned with an IEP goal or objective.**~~

The evidence that is collected for a student should be recent and representative of the student's learning. It is inappropriate to use evidence that was collected in a previous year because it may no longer accurately represents what the student can do. Evidence must be from the current school year and kept one year for monitoring purposes.

9. Portfolios are comprised of evidence aligned with the IEP goals or objectives. If no items within a competency on the MAAECF are aligned with goals and objectives in the student's IEP, evidence must be collected for and the student rated on a minimum number of items in that competency. Evidence submitted for the baseline collection should be indicative of the student's initial performance of the task at the beginning of the instructional period. Evidence for the final collection period should reflect the student's level of achievement or progress after instruction. All evidence must be dated to show it was completed during the current school year. (Source: *Teacher Resource Guide for the Mississippi Alternate Assessment of Extended Curriculum Frameworks* (MAAECF))

~~**of items in that competency as determined by the Office of Student Assessment.**~~

~~**Evidence may include work samples, published tests, observations, interviews, videotape, photographs, or audiotape. Teams are encouraged to use existing data that is collected on a regular basis as a piece of evidence. Each aligned goal or objective should have two different kinds of evidence, although it is appropriate to use the same piece of evidence for more than one item. For example, a teacher may have taken a short video of a student writing his name and address and then reading it aloud for another person to hear. This video evidence could be used as a basis for rating an item on the Reading strand and also an item on the Writing**~~

~~**strand of the Language Arts subscale. The teacher could also use some observational data of his or her own as the second piece of evidence for each of these items.**~~

Ideally, the person gathering the evidence needs to spend at least a month to six weeks with a student before he/she begins the collection phase of the process. It is important to establish a relationship with the student so that ratings are reliable and representative of the student's learning. In addition, because observations are a valuable source of evidence for many items, teachers need time to observe and record their observations. Many teachers may have excellent progress monitoring sheets or daily observation records that will provide a good source of evidence for their ratings.

Two types of evidence will be included for submission for each entry: Primary Evidence and Secondary Evidence. A minimum of two and a maximum of five pieces of evidence will be submitted per entry. Primary Evidence demonstrates knowledge and/or skills either through a work produced by the student or by any means that shows the student's engagement in instructional tasks. Secondary Evidence documents, relates, charts, or interprets the student's performance on instructional tasks. The Secondary Evidence must be based on tasks or activities that are related to – but are different from – those submitted as Primary Evidence (baseline and final evidence). Tasks used for assessment can differ in terms of the complexity of the activity; the materials, context, or application used; and/or the type and frequency of prompting.

For each targeted objective, the evidence will consist of two Primary pieces of evidence that show the student's initial and final performances. Primary evidence may include

- original work sample, teacher-made test/activity, or published test,
- observation of the student while working on the assessed objective,
- permanent product,
- series of captioned photographs (see details *Teacher Resource Guide for the MAAECF*), or
- DVD/CD containing video or audio (must include a script/running record).

Each targeted objective may also include at least one piece – but no more than three pieces – of Secondary Evidence to supplement the Primary evidence. This evidence must be based on a different – yet related and aligned task or activity – than those that were submitted as Primary Evidence. The tasks can differ in terms of the complexity of the activity, the materials used, and the type and frequency of prompting. Secondary Evidence should document the same objective but could provide additional information regarding the student's performance. Secondary evidence proves the opportunity for teachers to show consistency/generalization of student performance across settings, applications, or contexts or to ask students to try something a bit more challenging (greater depth or breadth) than the actual objective describes.

Secondary types of evidence could include

- data sheet, including charts or graphs,

- interview (parent, general education teacher, employer/community based work supervisor, related service staff),
- observation, observational record, or anecdotal record, or an additional but different piece of Primary Evidence

(Source: *Teacher Resource Guide for the MAAECF*)

~~The evidence that is collected for a student should be recent and representative of the student's learning. It is inappropriate to use evidence that was collected in a previous year because it may no longer~~ **~~represent what the student can do.~~**

~~**Evidence must be from the current school year and kept one year for monitoring purposes.**~~

10. ~~**4.**~~ The student's teacher rates ALL items based on observations of the student and knowledge of his/her ***skills***. If the student is not directly observed exhibiting the skill, the skill should be elicited during the assessment period or the teacher should base the rating on related skills in the same competency domain that have been directly observed. Students should have access to the supports, accommodations, and assistive technology necessary to demonstrate the extent of their proficiency on the skills and concepts represented by each MAAECF item.

11. ~~**5.**~~ A second individual ~~**must be selected prior to the assessment and provided a rating form with IEP aligned items checked. This second individual also**~~ will need to review the collection of evidence and required forms assembled by the ~~**first rater**~~teacher before completing his/her ~~**proficiency ratings. The two individuals should then meet to determine the**~~checklist to ensure that all required items are included and clearly labeled. This second person could be the Special Education Director or another lead teacher who has been trained in the MAAECF process..
~~**agreement between their ratings and make an overall proficiency level decision for each content area.**~~

12. ~~**6.**~~ Results of the alternate assessment are summarized using one of four ~~**performance**~~ levels (Minimal, Basic, Proficient, or Advanced) that places a student on a common ~~**criterion-referenced**~~ path to the ~~**state's content standards**~~Mississippi Extended Curriculum Frameworks and ~~**performance standards**~~Data Collection Requirements (Content Clusters) in the ~~**content**~~ domains of language arts, mathematics, and science. Results ~~**must**~~will be ~~**reported**~~sent to the ~~**Mississippi**~~ school districts and to the MDE Office of ~~**Student Assessment**~~Research and Statistics for ~~**purposes**~~purpose of monitoring ~~**progress**~~both participation and ~~**school-wide**~~ accountability ~~**. The Department of Education will provide student summary reports to school districts.**~~

Alternative Assessment for Subject Area Tests

The Alternative Assessment for Subject Area Tests process is available for students with disabilities who may need an assessment in Algebra I, Biology I, English II, and U.S. History in order to meet the requirements for a diploma but cannot take the general assessment without using a non-allowable accommodation.

The Alternative Assessments in high stakes areas have the following requirements:

6. ~~**1.**~~ The student must have taken the general state assessment, with or without accommodations as appropriate, at ~~**lease**~~least once and fail to pass.

7. ~~2.~~ The school district ~~notifies~~submits the ~~MDE of the intent to submit an~~SATP2 Alternative Assessment~~.~~ Request Form to the Office of Student Assessment.

8. ~~3.~~ The goals measured on an Alternative Assessment are the same for all students. For example, the goals assessed on an Alternative Assessment for Algebra I are the same competencies assessed on the statewide Subject Area Test in Algebra I.

9. ~~4.~~ Evidence of Progress for an Alternative Assessment is submitted to the state for review. State oversight concerning evidence of progress that can be used in an Alternative Assessment is required to satisfy a graduation requirement.

   The student's teacher collects appropriate evidence of student progress during the school year using the assessment methods identified for each goal to be assessed. Each curriculum competency must have a minimum of five (5) work samples as primary evidence. Primary evidence is evidence that clearly documents the student's mastery of the specified competency. District personnel must be able to verify that the student independently produced the work. Primary evidence mainly consists of tests and other assignments produced in the classroom. Secondary evidence is optional. Secondary evidence is supporting evidence for the primary evidence and may include letters of support, descriptions by a teacher, homework, group assignments, and/or other tools used by the student. In some cases, the student's parent(s), other teachers, school administrators, or other personnel may be involved in the collection of evidence of student progress. Since this is a high stakes assessment, there may be some restrictions regarding evidence of progress that can be used.

   Each work sample submitted as evidence must adhere to these principles:

   - ~~•~~ Provide complete demographic information on the student.
   - ~~•~~ Indicate the content area for which the work sample is being submitted.
   - ~~•~~ Indicate (numerically) what competency the work sample covers. Please note that the work sample may be used as evidence that supports progress on more than one competency.
   - ~~•~~ Indicate the competency and/or lesson plan that preceded the work sample.
   - ~~•~~ Indicate what the student will be able to accomplish as a result of the student's mastery of this competency.
   - ~~•~~ List the accommodations that the student uses routinely to perform the task independently, if applicable. Students with disabilities are allowed to use accommodations that are listed in the IEP.
   - ~~•~~ Provide the evidence and the date of the evidence collection. Evidence may be collected using a variety of methods. An audio taped assessment may be used for a student who is able to speak but may not be able to use his/her hand(s). An audiotape may also be used for a student who needs an oral test due to written expression

deficits. A performance observation may be necessary to assess a motor skill for which no other method of assessment is appropriate. If a competency is assessed using a demonstration or performance observation, the activity *must* be observed by at least two people. State the name and position of each observer. Failure to provide complete information will invalidate the sample.

- ~~•~~ Provide a brief description of the activity and, using the best professional judgment of the teacher, indicate the percentage of accuracy and independence with which the student performed the task.
- ~~•~~ Each work sample must clearly indicate whether the work sample is primary or secondary evidence. Primary evidence is evidence that clearly documents the student's mastery of the specified competency. District personnel must be able to verify that the student independently produced the work. Primary evidence mainly consists of tests and other assignments produced in the classroom. Secondary evidence is optional. Secondary evidence is supporting evidence for the primary evidence and may include letters of support, descriptions by teacher, homework, group assignments, and/or other tools used by the student. In some cases, the student's parent(s), other teachers, school administrators, or other personnel may be involved in the collection of evidence of student progress.
- ~~•~~ Prior to the state review of student performance, all evidence of progress is submitted to the ~~Supervisor of~~ Special Education ~~Programs~~Director who sends the material to the MDE according to the schedule published by MDE. Included with the submission of the evidence to MDE should be the Ethics in Data Collection form with original signatures along with all other information as indicated by the Office of Student Assessment. Failure to include signatures on the Ethics in Data Collection form will invalidate the sample.
  ~~**signatures on the Ethics in Data Collection form will invalidate the sample.**~~

10. ~~**4.**~~ According to the schedule published by MDE, the approved Alternative Assessment Review Committee evaluates the student's progress in meeting each goal based on the collected evidence. The committee members provide independent ratings of the student's performance that are averaged to yield an overall performance/progress score from 0.0 through 3.0. The student is assigned to one of two conditions (Pass or Fail) based on the overall score.

    For Alternative Assessments, the Alternative Assessment Review Committee includes personnel with expertise in the high school course in which high stakes assessment is administered. These committee members are approved by the MDE.

~~**Low Stakes Alternate Assessment**~~

~~**Low Stakes Alternate Assessments for non-significantly cognitively disabled (non-SCD) students have the following requirements:**~~

1. ~~**The IEP Team determines that an Alternate Assessment is appropriate and documents that decision in the student's IEP based on the following:**~~
    a. ~~**The student is being instructed at grade level based on the Mississippi Curriculum Frameworks. A student may receive grade-level instruction but may not yet be performing on grade level.**~~
    b. ~~**The IEP Team has considered all allowable accommodations provided by the Office of Student Assessment that would allow participation in the general assessment.**~~

c. The IEP Team has considered requesting or made a request for an accommodation using the Petition for Special Consideration (see page 19) that would allow the student to participate in the general assessment.
d. The IEP Team has reviewed the list of non-allowable accommodations provided by the Office of Student Assessment.
e. Based on a-d above, the IEP Team has determined the only option for participation in assessment is for the student to have a non-allowable accommodation.

2. The IEP Team plans the assessment. Appropriate measurable goals based on the Mississippi Curriculum Frameworks are identified and appropriate assessment methods are selected for each goal.

3. The student's teacher collects appropriate evidence of student progress during the school year using the assessment methods identified for each goal to be assessed. In some cases, the student's parent(s), other teachers, school administrators, or other personnel may be involved in the collection of evidence of student progress. Items that may be collected as evidence of student progress include student work samples, written performances, oral performances (possibly taped), time samples, curriculum based assessments, and formal observations of student performance.

   When the evidence of progress is a direct observation of student performance that does not produce some tangible evidence that can be evaluated at a later date, the observation must be observed by at least two people and documented.

4. Near the end of the school year, preferably during the IEP development meeting for the next school year, the local Alternate Assessment Review Committee evaluates the student's progress in meeting each goal based on the collected evidence. The committee members provide independent ratings of the student's performance that are averaged to yield an overall performance/progress score from 0.0 through 3.0. The student is assigned to one performance level (Proficient, Approaching Proficiency, or Not Proficient) based on the overall score.

   For Low Stakes alternate assessments, the Alternate Assessment Review Committee includes a minimum of three persons and should include the student's parent, the student's teacher, and the school administrator (principal or principal's designee). If the student's parent elects not to participate as part of the IEP Team and Alternate Assessment Review Committee, another special education teacher will be assigned to replace the parent. In all cases, a fourth member may be included on the committee. It is recommended that the fourth member be another special education teacher or the student's next placement teacher.

5. The assessment results above are submitted to the Supervisor of Special Education Programs, who sends it to the Mississippi Department of Education as directed by the Office of Student Assessment.

~~**It is important to note that students participating in this assessment are not counted as tested for NCLB Adequate Yearly Progress accountability purposes.**~~