



Statewide Assessment Program Accommodations and Alternate Assessments

Is a student with a disability required to take statewide assessments?

Yes. All students attending public schools, including students with disabilities,¹ are required to take statewide assessments.² A student with a disability participates in the statewide assessment program by taking the statewide assessment with accommodations or without accommodations or by taking an alternate assessment.³ Which assessment method is appropriate is determined by the student's individualized education plan (IEP) team. The IEP team may determine that:

- ❖ The student is able to access instruction and the statewide assessment without accommodations;
- ❖ The student requires allowable accommodations⁴ during instruction and for participation in a statewide assessment; or
- ❖ The student has a significant cognitive disability and meets the following criteria for participating in the statewide alternate assessment:⁵
 - ♦ The student is unable to master the *Sunshine State Standards*, even with appropriate and allowable instructional accommodations, assistive technology, or accessible instructional materials;
 - ♦ The student is participating in a curriculum based on the state standards access points⁶ for all academic areas; and

¹ The term "students with disabilities" includes students who have an intellectual disability; autism spectrum disorder; a speech impairment; a language impairment; an orthopedic impairment; an other health impairment; traumatic brain injury; a visual impairment; an emotional or behavioral disability; or a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; students who are deaf or hard of hearing or dual sensory impaired; students who are hospitalized or homebound; children with developmental delays ages birth through 5 years, or children, ages birth through 2 years, with established conditions that are identified in State Board of Education rules. Section 1003.01(3)(a), F.S.; rule 6A-1.0943(1), F.A.C. These terms are consistent with provisions of the federal Individuals with Disabilities Education Act. See 20 U.S.C. s. 1401(3)(A); see also Exceptional Student Education Fact Sheet.

² Section 1008.22(3)(c)8., F.S., as amended by s. 8, ch. 2010-22, L.O.F. (CS/CS/SB 4). Statewide assessments include the FCAT and all statewide, standardized end-of-course (EOC) assessments. See Statewide Assessment Program Fact Sheet.

³ Rule 6A-1.0943, F.A.C.

⁴ See *infra* text accompanying notes 21-42.

⁵ Rule 6A-1.0943(2), F.A.C.

⁶ Access points are expectations written for students with significant cognitive disabilities to access the general education curriculum. Access points are embedded in the *Sunshine State Standards* and reflect the core intent of the standards with reduced levels of complexity. Florida Department of Education, *Access Points for Students with Significant Cognitive Disabilities*, <http://www.floridastandards.org/page24.aspx> (last visited June 10, 2010).

- ♦ The student requires direct instruction in academics based on access points in order to acquire, generalize, and transfer skills across settings.⁷

The Department of Education (DOE) has developed the Florida Alternate Assessment (FAA) for students with significant cognitive disabilities.⁸ The FAA consists of reading and mathematics assessments for eligible students in grades 3 through 10; science assessments for eligible students in grades 5, 8, and 11; and writing assessments for eligible students in grades 4, 8, and 10.⁹

State board rule also provides for a student with a disability to receive a special exemption from participation in statewide assessments, including the alternate assessment, under extraordinary circumstances. Extraordinary circumstances are defined as “physical conditions that affect a student’s ability to communicate in modes deemed acceptable for statewide assessments, creating a situation where the results of administration of a statewide assessment would reflect a student’s impaired sensory, manual, or speaking skills rather than the student’s achievement.” A district school superintendent must submit any such request to the Commissioner of Education in writing at least 30 days before the assessment administration and include:

- ❖ A description of the student’s disabling conditions, including a specific description of the student’s impaired sensory, manual, or speaking skills and the extraordinary circumstances for the exemption request;
- ❖ Documentation of the most recent evaluation data;
- ❖ A description of the disability’s effect on the student’s achievement;
- ❖ Evidence that the student has had the opportunity to learn the skills being tested; and
- ❖ Evidence that the manifestations of the student’s disability prohibits the student from responding to the statewide assessment, even when appropriate accommodations are provided so that the result of the testing reflects the student’s impaired sensory, manual, or speaking skills, rather than the student’s achievement.¹⁰

Is a student classified as an English language learner required to take statewide assessments?

Yes. A student classified as an English language learner (ELL),¹¹ also known as a limited English proficient (LEP) student, is required to take statewide assessments.¹² An ELL who has been enrolled in a school in the United States for less than 12 months may be exempted from

⁷ Rule 6A-1.0943(4), F.A.C.

⁸ See rule 6A-1.09430, F.A.C.

⁹ Rule 6A-1.09430(3)(a), F.A.C.

¹⁰ Rule 6A-1.0943(5), F.A.C.

¹¹ An ELL is a student who was not born in the United States and whose native language is a language other than English; a student who comes from a home environment where a language other than English is spoken in the home; or a student who is an American Indian or Alaskan native and who comes from an environment where a language other than English has had a significant impact on his or her level of English language proficiency; and who, by reason thereof, has sufficient difficulty speaking, reading, writing, or listening to the English language. Section 1003.56(2)(a), F.S.; rule 6A-6.0901(1), F.A.C.; see also English for Speakers of Other Languages (ESOL) Fact Sheet.

¹² Rule 6A-1.03432(1), F.A.C.

FCAT Reading.¹³ In making a determination to exempt a student from FCAT Reading, the ELL committee¹⁴ must consider the following factors:

- ❖ The student's level of mastery of basic competencies or skills in English and the heritage language according to appropriate local, state, and national criterion-referenced standards;
- ❖ The student's grades from the current or previous years; or
- ❖ Other test results.¹⁵

An ELL who is exempted from FCAT participation must take the Comprehensive English Language Learning Assessment.¹⁶

Who is eligible for testing accommodations when taking statewide assessments?

State board rule must provide for accommodations for students with disabilities and ELLs.¹⁷ A student with a disability may be eligible for testing accommodations, if the accommodations:

- ❖ Are recorded on the student's IEP or 504 accommodation plan;¹⁸
- ❖ Are based on current instructional accommodations and accessible instructional materials used by the student in the classroom; and
- ❖ Do not negate the assessment's validity.¹⁹

An ELL may be eligible for testing accommodations if the student is currently receiving services in accordance with an approved ELL district plan.²⁰ An ELL who is otherwise classified as a student with a disability is eligible for testing accommodations in the same manner as other students with disabilities.²¹

What types of testing accommodations are authorized for statewide assessments?

Testing accommodations for students with disabilities on statewide assessments may include:

- ❖ Adjustments to the presentation of the statewide assessment questions;

¹³ Rules 6A-1.09432(1) and 6A-6.0909, F.A.C.

¹⁴ An ELL committee is a group composed of ESOL teachers and home language teachers, and an administrator or designee plus guidance counselors, social workers, school psychologists or other educators as appropriate for the situation. Rule 6A-6.0901(5), F.A.C.

¹⁵ Rule 6A-1.09432(2)(a), F.A.C.

¹⁶ Rule 6A-6.0909(1), F.A.C.; *see also* rule 6A-6.0902, F.A.C.

¹⁷ Section 1008.22(3)(c)8., F.S., *as amended by* s. 8, ch. 2010-22, L.O.F.

¹⁸ Rule 6A-1.0943(3)(b), F.A.C. Some students are not eligible for special education and related services under the IDEA but have disabilities recognized under Section 504 of the federal Rehabilitation Act of 1973, which include physical or mental impairments that substantially limit one or more major life activities. *See* 29 U.S.C. s. 705(9) and Rule 6A-19.001(6), F.A.C. Students with disabilities recognized under Section 504 are eligible for accommodations that the student's 504 plan team determines are needed by the student. Florida Department of Education, Bureau of Exceptional Education and Student Services, *Accommodations for Students with Disabilities Taking the Florida Comprehensive Assessment Test (FCAT)*, Technical Assistance Paper FY 2007-04 (Sept. 2006).

¹⁹ Rule 6A-1.0943(2), F.A.C.

²⁰ Rule 6A-6.09091(3), F.A.C.

²¹ Rule 6A-6.09091(5), F.A.C.

- ❖ Adjustments to the methods of recording examinee responses to the questions;
- ❖ Adjustments to the scheduling for the administration of the assessment;
- ❖ Adjustments to the settings for the administration of the assessment; and/or
- ❖ The use of assistive technology or devices to facilitate the student's participation in the assessment.²²

Any accommodations that negate the validity of a statewide assessment are not allowable.²³ District personnel are required to implement the accommodations in a manner that ensures the test responses are the independent work of the student. Personnel are prohibited from assisting a student in determining how the student will respond or directing or leading the student to a particular response.²⁴

In addition to the standard testing accommodations listed above, a student with a disability who needs a unique accommodation may submit a request for use of the accommodation to the DOE for approval by the commissioner.²⁵

Testing accommodations for ELLs include:

- ❖ Additional time to complete each test section, and the entire test may be administered over one or more days;
- ❖ Access to English-to-heritage language or heritage language-to-English dictionaries; and
- ❖ The opportunity to be tested in a separate room with an English for Speakers of Other Languages (ESOL) or heritage language teacher serving as the test administrator.²⁶

For mathematics assessments, an ESOL or heritage language teacher may answer questions related to the test directions or a specific word or phrase. For reading assessments, an ESOL or heritage language teacher may answer questions related to the test directions.²⁷

How does a parent know if an accommodation used in classroom instruction is permissible on statewide assessments?

Some accommodations that students with disabilities may receive in the classroom are not authorized on statewide assessments because the accommodations change what the test is intended to measure or affect the test's reliability and validity. If accommodations are recommended for classroom instruction or testing which are not permitted on statewide assessments, parents must be notified and give their signed consent for the use of those accommodations in the classroom. Parents must acknowledge, in writing, that they understand the possible impact or future consequences of using accommodations in the classroom which are not permitted on statewide assessments.²⁸

²² Rule 6A-1.0943(3)(a), F.A.C.

²³ Section 1008.22(3)(c)8., F.S., *as amended by* s. 8, ch. 2010-22, L.O.F.; rule 6A-1.0943(3)(a), F.A.C.

²⁴ Rule 6A-1.0943(3)(d), F.A.C.

²⁵ Rule 6A-1.0943(4), F.A.C.

²⁶ Rule 6A-6.09091(3)(a), (b), and (c), F.A.C.

²⁷ Rule 6A-6.09091(3)(d) and (e), F.A.C.

²⁸ Section 1008.22(3)(c)8. and 10., F.S., *as amended by* s. 8, ch. 2010-22, L.O.F. Examples of accommodations that are not allowable include signing or reading aloud reading passages, items, or answer choices; accessing the spelling or grammar-checking applications for any assessment involving the writing process; and for grades 3

May a student with a disability receive a standard high school diploma if the student receives testing accommodations on statewide assessments?

Yes. Use of allowable testing accommodations on statewide assessments has no bearing on the type of diploma issued to the student.²⁹

Is a student with a disability who does not earn passing scores on statewide assessments eligible for a standard high school diploma?

Yes. A student with a disability may earn a standard high school diploma without earning passing scores on the grade 10 FCAT Reading and Mathematics, if:

- ❖ The student's IEP team determines that the FCAT cannot accurately measure the student's abilities taking into consideration all allowable accommodations;
- ❖ The student completes the state's 24-credit and 2.0 cumulative grade point average (GPA) requirements and any other district requirements for graduation with a standard high school diploma; and
- ❖ The student has taken the grade 10 FCAT with appropriate, allowable accommodations in grades 10 and 11.³⁰

In 2010, the Legislature significantly revised the requirements of the statewide assessment program, replacing grades 9 and 10 FCAT Mathematics and grade 11 FCAT Science with end-of-course (EOC) assessments in Algebra I, Geometry, and Biology I.³¹ Beginning with students entering grade 9 in 2011-2012, a student must pass the EOC assessment in Algebra I in order to earn course credit, which is required for high school graduation. Beginning with students entering grade 9 in 2012-2013, a student must pass the EOC assessments in Geometry and Biology I in order to earn credit in those courses, which are also required for graduation.³²

A student with a disability may have the EOC assessment results waived for the purpose of determining the student's course grade and credit, if the student's IEP committee³³ determines that an EOC assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations.³⁴

through 6, using a calculator on the mathematics test. *FCAT Test Administration Manual*, 2010 Reading Mathematics Science, Appendix A, Test Accommodations.

²⁹ See ss. 1003.428(7)(a) and 1003.43(10)(a), F.S.

³⁰ Sections 1003.428(8)(b), F.S.

³¹ Section 8, ch. 2010-22, L.O.F.

³² Section 1008.22(3)(c)2.a.(I) and (II), F.S., as amended by s. 8, ch. 2010-22, L.O.F.

³³ An IEP team is a group of individuals that is responsible for developing, reviewing, or revising an IEP for a student with a disability. Rule 6A-6.03411(1)(v), F.A.C.

³⁴ Section 1003.428(4)(b)2., F.S., as amended by s. 8, ch. 2010-22, L.O.F.

Where can I get additional information?

Florida Department of Education

Bureau of Exceptional Education and Student Services

(850) 245-0475

<http://www.fldoe.org/ese/>

Florida House of Representatives

Education Committee

(850) 488-7451

<http://www.myfloridahouse.gov>