

**SCHOOL DISTRICT OF BAYFIELD**

346-Rule

PROCEDURES FOR TESTING EEN AND LES STUDENTS

A. Testing of Students with Exceptional Educational Needs (EEN)

1. Third Grade Reading Tests

- a. Students with disabilities shall participate in statewide third grade reading testing, with appropriate modifications where necessary, or in alternative assessments as deemed necessary or appropriate. Decisions regarding testing will be made on an individual basis and will be documented in the EEN student's IEP.
- b. Any modifications or accommodations that might be needed in the test administration or format, or alternative assessments should become part of the IEP.

2. Fourth, Eighth and Tenth Grade Tests

- a. Decisions regarding testing will be made on an individual basis and will be documented in the EEN student's IEP.
- b. Participants at the IEP meeting should determine whether the student's education program is reflected in the tests, that is, whether the material taught is the material covered by the tests, and whether any modifications in testing, such as large print editions, answers recorded by an aide, or small group or individual administration need to be made.

Modifications that might be needed in the test administration or format should become part of the IEP. Any modifications should be such that what is measured by the tests remains the same.

If the student cannot participate in the 4<sup>th</sup>, 8<sup>th</sup> or 10<sup>th</sup> grade testing, the IEP shall include a statement of why participation in testing is not appropriate for the student and how the student will be assessed through alternative means.

- c. Test/assessment results will not be used as the sole criterion in determining grade promotion, eligibility for courses or programs, eligibility for graduation or eligibility for participation in post secondary education opportunities.
- d. If an EEN student is exempted from taking the required tests, the district may not penalize the student by denying grade promotion, eligibility for courses or programs, eligibility for graduation or eligibility for participation in postsecondary education opportunities.
- e. The EEN student's parent/guardian shall be notified, in writing, at least 30 days prior to the administration of the test/assessment regarding the student's inclusion in or exemption from the test/assessment; the criteria used in determining the student's inclusion in or exemption from the test/assessment; and, an explanation of how the results of the test/assessment will be used, if tested.

The test results of each EEN student shall also be provided to the student's parent/guardian.

All notices shall be provided in such manner so as to ensure that the EEN student's parent/guardian understands them.

## B. Testing of Limited English Speaking (LES) Students

### 1. Third Grade Reading Tests

- a. A LES student will be administered the third grade reading test if he/she understands and speaks English well but needs assistance in reading and writing in English to achieve at a level appropriate for his/her age or grade. Modifications in the format and administration of the test may be provided based on the student's needs.
- b. A LES student will be excluded from the state's third grade reading test if he/she:
  - \* does not understand or speak English;
  - \* understands simple sentences in English, but uses only isolated words or expressions in English;

- \* speaks English with difficulty, converses in English with help, understands at least parts of lessons and follows simple directions given in English; or
- \* understands, speaks, reads and writes English with some degree of hesitancy which may be due to language interference because of a foreign language or non-proficient English spoken at home.

## 2. Eighth and Tenth Grade Tests

- a. When determining whether to administer state required 8th and 10th grade tests to LES students, school staff shall apply and document all of the following criteria:
  - \* whether the student has had an opportunity to master the competencies for which he/she is being tested;
  - \* whether the student demonstrates test-taking skills; and,
  - \* whether a teacher of the LES student has attested that the student has sufficient academic and English proficiency to take the required test with or without modifications.
- b. Decisions regarding testing will be made and documented on an individual basis for each LES student.
- c. If it is determined that the LES student should take the required test, the format and administration of the test may be modified based on the individual student's needs. Test results will not be used as the sole criterion in exiting LES students from a bilingual-bicultural education program or in determining grade promotion, eligibility for courses or programs eligibility for graduation or eligibility for postsecondary education opportunities.
- d. A LES student shall be exempted from taking the required test if he/she:
  - \* does not understand or speak English;
  - \* understands simple sentences in English, but uses only isolated words or expressions in English; or,

\* speaks English with difficulty, converses in English with help, understands at least parts of lessons and follows simple directions given in English.

Any LES student who is exempted from taking the required test shall be evaluated to determine his/her achievement level in core subjects which include writing, reading and mathematics, and will be assisted in career development and postsecondary education decisions. The district shall not penalize a LES student who is exempted from taking a test by denying grade promotion, eligibility for courses or programs, eligibility for graduation or eligibility for postsecondary education opportunities.

- e. The parent/guardian of a LES student shall be notified at least 30 days prior to the administration of the test regarding the student's inclusion in or exemption from the test; the criteria used in determining the student's inclusion in or exclusion from the test; and, an explanation of how the results of the test will be used.

The test results of each LES student shall also be given to the student's parent/guardian.

All notices provided to parents/guardians of LES students shall be given in such manner so as to ensure understanding of the notices. They should be provided in English, the parent/guardian's native language or any other means to convey the required information.

LEGAL REF.: PI 13.03, Wisconsin Administrative Code  
PI 16

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