



ADMINISTRATIVE RULE 346.1

AR 346.1 - Nondiscriminatory Testing Procedures

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Wisconsin Reading Comprehension Test (Third Grade):

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A. Exemptions

1. Criteria for excluding students from testing

a. All decisions made to include or exclude students must be made on an individual, case-by-case basis.

b. No "blanket" exclusion of students with disabilities or categories of disabilities is permitted.

2. Students with Exceptional Education Needs

a. Decisions regarding testing will be made on an individual basis and will be documented in the Individual Education Plan (IEP) of a student with Exceptional Education Needs (EEN).

b. During the IEP development, the IEP Committee shall address issues of current level of performance and program goals.



c. The IEP shall include a statement that the student will or will not participate in the state and District testing programs, the subjects or content areas that are appropriate for the student, and the reasons for the decision.

d. The student shall have consistent treatment in testing; that is, school staff members shall administer all school or District testing to the student in the same way.

3. Students with disabilities under Section 504

a. The Individual Accommodations Plan (IAP) shall be used to document decisions made to exclude students with disabilities under Section 504 from testing.

b. The IEP shall include a statement that the student will or will not participate in the state and District testing programs, the subjects or content areas that are appropriate for the student, and the reasons for the decision.

4. Student with Limited English Proficiency

a. Students with limited English proficiency as defined in s. 115.955(7), Wisconsin Statutes, must be excluded from the Wisconsin Reading Comprehension Test if the student's language meets the following criteria:

- 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.

· 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.

b. Students who understand and speak English well, but need assistance in reading and writing in English to achieve at a level appropriate for his or her age or grade must take the Wisconsin Reading Comprehension Test.

B. Modifications

Modifications may not be made to the content of the test; however, modifications may be made in the procedures for administering the test. The following modifications are examples of those that are permissible:

1. Time modifications

- a. Administer the test in shorter sessions with more breaks or rest periods.
- b. Space testing over several days.
- c. Administer the test at a time most beneficial to the student.
- d. Allow the student more time to complete the test.

2. Environmental modifications



- a. Administer the test in a small group or individual session.
 - b. Allow the student to work in a study carrel.
 - c. Place the student in a room or part of the room where he or she is most comfortable.
 - d. Allow the special education teacher or aide to administer the test.
3. Format modifications
- a. Use an enlarger for students with visual impairments.
 - b. Assist the student to track items by pointing or placing the student's finger on items.
 - c. Use sign language for directions and sample items.
 - d. Allow use of equipment or technology that the student uses for other work.



4. Recording modifications

- a. Have someone record the student's responses.

- b. Use a computer board, communication board, tape recorder, or other device to record responses.

Wisconsin Student Assessment System (Grades 4, 8, and 10:

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A. Exemptions

1. Criteria for excluding students from testing

- a. Teachers are encouraged to include students with disabilities and limited English proficiency in the Wisconsin Student Assessment System (WSAS) assessments and to provide them with any necessary modifications or accommodations to ensure their participation.

- b. All decisions made to include or exclude students must be made on an individual, case-by-case basis. No "blanket" exclusion of students with disabilities or categories of disabilities is permitted.

2. Students with Exceptional Education Needs

- a. Decisions regarding testing will be made on an individual basis and will be documented in the Individual Education Plan (IEP) of a student with Exceptional Education Needs (EEN).



b. During the IEP development, the IEP Committee shall address issues of current level of performance and program goals.

c. The IEP shall include a statement that the student will or will not participate in the state and District testing programs, the subjects or content areas that are appropriate for the student, and the reasons for the decision.

d. The student shall have consistent treatment in testing; that is, school staff members shall administer all school or District testing to the student in the same way.

3. Students with disabilities under Section 504

a. Students with disabilities under Section 504 must be tested.

b. Necessary modifications in testing shall be made, where appropriate.

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4. Students with Limited English Proficiency



a. Students with limited English proficiency as defined in s. 115.955(7), Wisconsin Statutes, must be excluded from the WSAS if the student's language meets the following criteria:

- 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.

- 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.

b. Students who understand and speak English well, but need assistance in reading and writing in English to achieve at a level appropriate for his or her age or grade must take the Wisconsin Reading Comprehension Test.

c. In making the decision to include or exclude limited English proficiency (LEP) students, the District must consider whether the student has had an opportunity to learn the material that the test covers and whether the student has test-taking skills.

d. If a LEP student is exempted from the test, the District must assess the student's achievement in the core areas of reading, writing, and mathematics.

e. Exempted LEP students must be provided with career development experiences and be assisted in their educational plans and in making postsecondary education decisions.

f. Test results may not be used as the sole criterion in determining grade promotion, eligibility for courses or programs, eligibility for graduation, or eligibility for participation in the youth options program.



g. Students who are exempted from the tests may not be penalized in grade promotion, eligibility for courses or programs, eligibility for graduation, or eligibility for participation in the youth options program.

B. Modifications

1. Limited English proficiency students

a. Allowable modifications in the format and administration of the test must be made, if needed by the LEP student.

Administrative Rule 346.1—Continued

b. Any modification must maintain test validity.

c. The following modifications are examples of those that are permissible:

- Translation of instructions.
- Reading items or assisting with material that does not measure reading ability.
- Allowing the use of a dictionary.

- Allowing more time for testing.

- d. Reading any of the reading passages or items to LEP students is not permitted.

- e. It is permissible to administer part of the test battery to LEP students and exempt them from taking individual tests or sub-tests deemed to be inappropriate.

- f. LEP students may be exempted from the academic tests and take only the career interest survey.

- 2. Students with EEN and Section 504 disabilities
 - a. Time modifications
 - Administer the test in shorter sessions with more breaks or rest periods.

 - Space testing over several days.

 - Administer the test at a time most beneficial to the student.

 - Allow the student more time to complete the test.

 - b. Environmental modifications
 - Administer the test in a small group or individual session.



- Allow the student to work in a study carrel.

- Place the student in a room or part of the room where he or she is most comfortable.

- Allow the special education teacher or aide to administer the test.

Administrative Rule 346.1—Continued

c. Format modifications

- Use an enlarger for students with visual impairments.

- Assist the student to track items by pointing or placing the student's finger on items.

- Use sign language for directions and sample items.

- Allow use of equipment or technology that the student uses for other work.



d. Recording modifications

- Have someone record the student's responses.

- Use a computer board, communication board, tape recorder, or other device to record responses.

C. Notifications

1. Parents of LEP students must be notified, in writing or orally in their native language, at least 30 days before testing, of the District's intent to include or exclude the students and the reason for the decision.

2. Test results for students included in testing must be provided to parents in their native language, or by any other means necessary, so that parents understand their child's test results.