



# Assessment Handbook

	Pages
.....	
Texas Administrative Code, Title 19, Part II, Chapter 101 .....	1-2
A. General Provisions .....	3-6
B. Development and Administration of Tests .....	7-8
C. Security and Confidentiality .....	9-10
D. Scoring and Reporting .....	11
E. Local Option .....	12
 Commissioner's Rules Concerning the:	
AA. Participation of Limited English Proficient Students .....	13-15
in State Assessments	
BB. Student Success Initiative .....	16-21
CC. Implementation of Testing Program .....	22-23
 Board Policies	
• EK(Legal) Testing Programs .....	24
• EK(Local) Testing Programs .....	25-26
• EKB(Legal) Testing Programs: State Assessment Program.....	27-33
• EEJA(Local) Credit by Examination without Prior Instruction .....	34
• EEJB(Local) Credit by Examination without Prior Instruction.....	35-36

## Chapter 101. Assessment

### Subchapter A. General Provisions

- §101.1. Scope of Rules.
- §101.3. Policy.
- §101.5. Student Testing Requirements.
- §101.7. Testing Requirements for Graduation.
- §101.9. Grade Advancement Requirements.
- §101.11. Remediation.
- §101.13. Notice to Students and Parents.

### Subchapter B. Development and Administration of Tests

- §101.21. Test Development.
- §101.23. Performance Standards.
- §101.25. Schedule.
- §101.27. Administrative Procedures.
- §101.29. Accommodations.
- §101.31. Private Schools.
- §101.33. Release of Tests.

### Subchapter C. Security and Confidentiality

- §101.61. Security of Tests.
- §101.63. Confidentiality.
- §101.65. Penalties.

### Subchapter D. Scoring and Reporting

- §101.81. Scoring and Reporting.
- §101.83. National Comparative Data.

### Subchapter E. Local Option

- §101.101. Group-Administered Tests.

### Subchapter AA. Commissioner's Rules Concerning the Participation of Limited English Proficient Students in State Assessments

- §101.1001. Reading Proficiency Tests in English.
- §101.1003. Role of the Language Proficiency Assessment Committee.
- §101.1005. Limited English Proficient Students at the Exit Level.
- §101.1007. Limited English Proficient Students at Grades Other Than the Exit Level.
- §101.1009. Limited English Proficient Students Who Receive Special Education Services.

§101.1011. Clarification of Provisions.

### **Subchapter BB. Commissioner's Rules Concerning the Student Success Initiative**

§101.2001. Policy.

§101.2003. Grade Advancement Testing Requirements.

§101.2005. Test Administration and Schedule.

§101.2007. Role of Grade Placement Committee.

§101.2009. Notice to Parents or Guardians.

§101.2011. Alternate Assessment.

§101.2013. Accelerated Instruction.

§101.2015. Parental Waiver.

§101.2017. Scoring and Reporting.

§101.2019. Credit for High School Graduation.

### **Subchapter CC. Commissioner's Rules Concerning Implementation of Testing Program**

§101.3001. Implementation of New Assessment Instruments.

§101.3003. Transitional Issues Related to New Assessment Program.

## Chapter 101. Assessment

### Subchapter A. General Provisions

*Statutory Authority: The provisions of this Subchapter A issued under the Texas Education Code, Chapter 39, Subchapter B, unless otherwise noted.*

#### §101.1. Scope of Rules.

- (a) The State Board of Education (SBOE) shall:
  - (1) create and implement the statewide assessment program to ensure the program supports the goals of education as specified in the Texas Education Code (TEC); and
  - (2) establish goals for the statewide assessment program.
- (b) When adopting rules, the SBOE shall maintain the stability of the statewide assessment program to the greatest extent possible in accordance with the TEC, Chapter 39, Subchapter B.
- (c) The statewide assessment program consists of the following criterion-referenced tests:
  - (1) the assessment of academic skills in English and Spanish for the grades and subjects as specified in the TEC, Chapter 39, Subchapter B;
  - (2) the alternative assessment of academic skills for eligible students receiving special education services as specified in the TEC, Chapter 39, Subchapter B;
  - (3) the assessments required for graduation as specified in the TEC, Chapter 39, Subchapter B; and
  - (4) the reading proficiency tests in English for eligible limited English proficient students as specified in the TEC, Chapter 39, Subchapter B.

*Source: The provisions of this §101.1 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### §101.3. Policy.

- (a) The goal of the statewide assessment program is to provide all eligible Texas students an appropriate statewide assessment that measures and supports their achievement of the essential knowledge and skills of the state-mandated curriculum.
- (b) To maximize its effectiveness for educators and students, the statewide assessment program shall be based on the following quality standards.
  - (1) Tests shall be aligned to the essential knowledge and skills of the state-mandated curriculum in all subject areas tested.
  - (2) Tests shall be reliable and valid measures of the essential knowledge and skills and shall be administered in a standardized manner.
  - (3) Test results at the student, campus, district, regional, and state levels shall be reported in a timely and accurate manner.

*Source: The provisions of this §101.3 adopted to be effective August 15, 2002, 27 TexReg 7106.*

#### §101.5. Student Testing Requirements.

- (a) Every student receiving instruction in the essential knowledge and skills shall take the appropriate criterion-referenced tests, as required by the Texas Education Code (TEC), §39.023(a), (b), (c), (l) and §39.027(e).
- (b) A student receiving special education services under the TEC, Chapter 29, Subchapter A, enrolled in Grades 3-8 and who is receiving instruction in the essential knowledge and skills, shall take the assessment of academic skills unless the student's admission, review, and dismissal (ARD) committee determines that it is an inappropriate measure of the student's academic progress as outlined in the student's individualized

education program (IEP). If the student's ARD committee determines that the assessment of academic skills is an inappropriate measure of the student's academic progress in whole or part, the student shall take the alternative assessment of academic skills in whole or part. Each testing accommodation shall be documented in the student's IEP in accordance with 34 Code of Federal Regulations (CFR) §300.347(a)(5)(i) and (ii), relating to the content of the IEP and participation in statewide or districtwide assessments. Beginning with the 2004-2005 school year when alternative assessment of academic skills is available for Grades 9-10, this subsection also applies to students enrolled in these grades.

- (c) A student receiving special education services under the TEC, Chapter 29, Subchapter A, enrolled in Grades 3-10, according to the grade implementation schedule in subsection (b) of this section, and who is not receiving any instruction in the essential knowledge and skills, shall be considered exempt in accordance with the TEC, §39.027. Each exemption shall be documented in the student's IEP in accordance with 34 CFR §300.347(a)(5)(i) and (ii), relating to the content of the IEP and participation in statewide or districtwide assessments. Each exempted student receiving special education services shall take an appropriate locally selected assessment, as determined by the student's ARD committee, in accordance with procedures developed by the Texas Education Agency (TEA). Student performance results on these alternate assessments must be reported to the TEA.
- (d) In Grades 3-12, a limited English proficient (LEP) student, as defined by the TEC, Chapter 29, Subchapter B, shall participate in the assessments as required by this section and Subchapter AA of this chapter (relating to Commissioner's Rules Concerning the Participation of Limited English Proficient Students in State Assessments). In Grades 3-6, the language proficiency assessment committee (LPAC) shall determine whether a nonexempt LEP student whose primary language is Spanish will take the assessment of academic skills in English or in Spanish. The decision as to the language of the assessment shall be based on the assessment that will provide the most appropriate measure of the student's academic progress.

*Source: The provisions of this §101.5 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### **§101.7. Testing Requirements for Graduation.**

- (a) To be eligible to receive a high school diploma, a student must demonstrate satisfactory performance as determined by the State Board of Education (SBOE) on the assessments required for graduation as specified in the Texas Education Code (TEC), Chapter 39, Subchapter B.
  - (1) To fulfill the testing requirements for graduation, a student must be tested by either a Texas school district, Texas education service center, open-enrollment charter school, the Texas Education Agency (TEA), or other individual or organization designated by the commissioner of education.
  - (2) On the tests required for graduation, a student shall not be required to demonstrate performance at a standard higher than the one in effect when he or she was first eligible to take the test.
  - (3) A foreign exchange student who has waived in writing his or her intention to receive a Texas high school diploma may be excused from the exit level testing requirement as specified in the TEC, Chapter 39, Subchapter B.
- (b) Beginning with the 2003-2004 school year, students who were enrolled in Grade 8 or a lower grade on January 1, 2001, must fulfill testing requirements for graduation with the Grade 11 exit level tests, as specified in the TEC, §39.023(c).
- (c) A student receiving special education services under the TEC, Chapter 29, Subchapter A, who successfully completes the requirements of his or her individualized education program (IEP) shall receive a high school diploma.
- (d) According to procedures specified in the applicable test administration materials, an eligible student or out-of-school individual who has not met graduation requirements may retest on a schedule determined by the commissioner of education.

*Source: The provisions of this §101.7 adopted to be effective November 15, 2001, 26 TexReg 9091.*

**§101.9. Grade Advancement Requirements.**

Each school district and charter school shall test eligible students in accordance to the grade advancement requirements as specified in the Texas Education Code (TEC), §28.0211(a). These requirements pertain to the reading test at Grade 3, beginning in the 2002-2003 school year; the reading and mathematics tests at Grade 5, beginning in the 2004-2005 school year; and the reading and mathematics tests at Grade 8, beginning in the 2007-2008 school year.

- (1) The Texas Education Agency (TEA) shall provide three opportunities for the tests required for grade advancement as specified in the TEC, §28.0211(a). The commissioner of education shall specify the dates of these administrations in the assessment calendar.
- (2) A school district or charter school shall provide accelerated instruction for students who fail to demonstrate satisfactory performance as specified in the TEC, §28.0211(a).
- (3) The commissioner of education shall approve the assessments for local use by school districts or charter schools as provided under the TEC, §28.0211(b).

*Source: The provisions of this §101.9 adopted to be effective November 15, 2001, 26 TexReg 9091.*

**§101.11. Remediation.**

- (a) Each school district and charter school shall provide remediation for students who fail to demonstrate satisfactory performance on any section of the assessments of academic skills, as required by the Texas Education Code (TEC), §39.024(b).
- (b) In compliance with the TEC, §39.024(c), the Texas Education Agency (TEA) shall develop summer remediation study guides to help parents in providing assistance to students who do not perform satisfactorily on one or more parts of the assessments of academic skills specified in the TEC, §39.023(a) and (c). The TEA shall distribute these study guides as required to school districts and charter schools. Each school district and charter school shall distribute the summer remediation study guides in the manner most effective for them, and shall observe the requirements for maintaining confidentiality of student testing results. Each student who does not perform satisfactorily on one or more subject-area tests shall receive a remediation study guide.

*Source: The provisions of this §101.11 adopted to be effective November 15, 2001, 26 TexReg 9091.*

**§101.13. Notice to Students and Parents.**

- (a) The superintendent of each school district and chief administrative officer of each charter school shall be responsible for the following in order to provide timely and full notification of graduation requirements:
  - (1) notifying each student and his or her parent or guardian in writing no later than the beginning of the student's seventh-grade year of the testing requirements for graduation;
  - (2) notifying each student in Grades 7-12 new to the school district or charter school and his or her parent or guardian in writing of the testing requirements for graduation; and
  - (3) notifying each student who shall take the tests required for graduation and his or her parent or guardian, as well as out-of-school individuals, of the dates, times, and locations of testing.
- (b) The superintendent of each school district and chief administrative officer of each charter school shall be responsible for the following in order to provide timely and full notification of testing requirements for advancement at certain grades:
  - (1) notifying each student and his or her parent or guardian in writing no later than the beginning of the student's first-grade year or no later than the beginning of the student's kindergarten year, for students attending kindergarten in a public school, of the testing requirements for grade advancement as specified in the Texas Education Code (TEC), §28.0211;
  - (2) notifying each student in Grades 1-8 who is new to the school district or charter school and his or her parent or guardian in writing of the testing requirements for grade advancement; and

- (3) notifying each student required to take the grade advancement tests of the dates, times, and locations of testing.

*Source: The provisions of this §101.13 adopted to be effective November 15, 2001, 26 TexReg 9091.*

## Chapter 101. Assessment

### Subchapter B. Development and Administration of Tests

*Statutory Authority: The provisions of this Subchapter B issued under the Texas Education Code, Chapter 39, Subchapter B, unless otherwise noted.*

#### §101.21. Test Development.

- (a) Texas educators shall assist Texas Education Agency staff in developing test objectives, assessment guidelines, and test items. Advisory committees composed of Texas educators shall reflect the diversity of the state by region, ethnicity, gender, and type and size of school district.
- (b) The commissioner of education shall ensure that each criterion-referenced test developed under the Texas Education Code (TEC), Chapter 39, Subchapter B, meets accepted standards for educational testing.
- (c) Each public school and charter school shall assist with field-testing and other activities necessary to implement the requirements of the TEC, Chapter 39, Subchapter B.

*Source: The provisions of this §101.21 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### §101.23. Performance Standards.

- (a) Except as otherwise provided by the Texas Education Code (TEC), Chapter 39, Subchapter B, the State Board of Education shall determine the level of performance considered to be satisfactory on the assessment instruments.
- (b) The alternative assessment of academic skills will measure annual growth based on appropriate expectations for each student receiving special education services, as determined by the student's admission, review, and dismissal (ARD) committee in accordance with criteria established by the commissioner of education as required by the TEC, §39.024(a).

*Source: The provisions of this §101.23 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### §101.25. Schedule.

- (a) The commissioner of education shall specify the schedule for testing and field testing that supports reliable and valid assessments.
- (b) The superintendent of each school district or chief administrative officer of each charter school and any private school administering the tests as allowed under the Texas Education Code (TEC), §39.033, shall be responsible for administering tests.
- (c) The commissioner of education may provide alternate dates for the administration of tests required for a high school diploma to students who are migratory children, as defined in the TEC, §39.029, and who are out of the state.

*Source: The provisions of this §101.25 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### §101.27. Administrative Procedures.

- (a) Test administration procedures shall be established by the Texas Education Agency (TEA) in the applicable test administration materials.
- (b) A school district, charter school, or private school administering the tests required by the Texas Education Code (TEC), Chapter 39, Subchapter B, shall follow procedures specified in the applicable test administration materials.
- (c) The superintendent of each school district and chief administrative officer of each charter school or private school administering tests required by TEC, Chapter 39, Subchapter B, shall be responsible for:
  - (1) maintaining the integrity of the test administration process; and

- (2) ensuring that every test administrator receives at least annual training in these procedures as provided by the TEA through the education service centers.

*Source: The provisions of this §101.27 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### **§101.29. Accommodations.**

- (a) Testing accommodations on the assessments administered under the Texas Education Code (TEC), Chapter 39, Subchapter B, are permitted for any student unless they would make a particular test invalid. Decisions regarding testing accommodations shall take into consideration the needs of the student and the accommodations the student routinely receives in classroom instruction.
- (b) For a student receiving special education services, the admission, review, and dismissal (ARD) committee shall determine the allowable accommodations necessary for the student to take the assessments administered under the TEC, Chapter 39, Subchapter B, and shall document them in the student's individualized education program.
- (c) Permissible testing accommodations shall be described in the appropriate test administration materials.

*Source: The provisions of this §101.29 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### **§101.31. Private Schools.**

- (a) A private school administering the tests under the Texas Education Code (TEC), Chapter 39, Subchapter B, shall follow procedures specified in the applicable test administration materials. Each private school shall maintain test security and confidentiality as delineated in the TEC, §39.030.
- (b) A private school administering the tests under the TEC, Chapter 39, Subchapter B, shall reimburse the Texas Education Agency for each test administered. The per-student cost may not exceed the cost of administering the same test to a student enrolled in a school district.
- (c) A private school administering the tests under the TEC, Chapter 39, Subchapter B, shall provide to the commissioner of education, as required by law, academic excellence indicator information described in the TEC, §39.051(b). For indicator information defined and collected through the Public Education Information Management System (PEIMS), private schools shall follow the PEIMS Data Standards.

*Source: The provisions of this §101.31 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### **§101.33. Release of Tests.**

Beginning in 2004 with the 2003-2004 school year and subsequent even-numbered years, the Texas Education Agency shall release all test items and answer keys for the Texas Assessment of Knowledge and Skills (TAKS), the State-Developed Alternative Assessment (SDAA), and the Reading Proficiency Tests in English (RPTE). After a period of five years, each test item that has been field-tested but not used on a test will be released.

*Source: The provisions of this §101.33 adopted to be effective November 15, 2001, 26 TexReg 9091; amended to be effective October 12, 2003, 28 TexReg 8607; amended to be effective June 6, 2004, 29 TexReg 5343.*

## Chapter 101. Assessment

### Subchapter C. Security and Confidentiality

*Statutory Authority: The provisions of this Subchapter C issued under the Texas Education Code, Chapter 39, Subchapter B, unless otherwise noted.*

#### §101.61. Security of Tests.

The statewide assessment program as defined by the Texas Education Code (TEC), Chapter 39, Subchapter B, is a secure testing program. Procedures for maintaining security shall be specified in the appropriate test administration materials. Secure test materials must be accounted for before, during, and after each test administration. Only authorized personnel may have access to secure test materials.

*Source: The provisions of this §101.61 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### §101.63. Confidentiality.

The contents of each test booklet and answer document are confidential in accordance with the Texas Government Code, Chapter 551, and the Family Educational Rights and Privacy Act of 1974. Individual student performance results are confidential as specified under the Texas Education Code (TEC), §39.030(b).

*Source: The provisions of this §101.63 adopted to be effective November 15, 2001, 26 TexReg 9091.*

#### §101.65. Penalties.

- (a) Violation of security or confidential integrity of any test required by the Texas Education Code (TEC), Chapter 39, Subchapter B, shall be prohibited.
- (b) A person who engages in conduct prohibited by this section may be subject to sanction of credentials.
- (c) Charter school test administrators are not required to be certified; however, any irregularity in the administration of any test required by the TEC, Chapter 39, Subchapter B, would cause the charter itself to come under review by the commissioner of education for possible sanctions or revocation, as provided under the TEC, §12.115(a)(4).
- (d) Procedures for maintaining the security and confidential integrity of a test shall be specified in the appropriate test administration materials. Conduct that violates the security and confidential integrity of a test is defined as any departure from the test administration procedures established by the commissioner of education. Conduct of this nature may include the following acts and omissions:
  - (1) duplicating secure examination materials;
  - (2) disclosing the contents of any portion of a secure test;
  - (3) providing, suggesting, or indicating to an examinee a response or answer to a secure test item or prompt;
  - (4) changing or altering a response or answer of an examinee to a secure test item or prompt;
  - (5) aiding or assisting an examinee with a response or answer to a secure test item or prompt;
  - (6) encouraging or assisting an individual to engage in the conduct described in paragraphs (1)-(5) of this subsection; or
  - (7) failing to report to an appropriate authority that an individual has engaged in conduct outlined in paragraphs (1)-(6) of this subsection.
- (e) Any person who violates, assists in the violation of, or solicits another to violate or assist in the violation of test security or confidential integrity, and any person who fails to report such a violation are subject to the following penalties:

- (1) placement of restrictions on the issuance, renewal, or holding of a Texas teacher certificate, either indefinitely or for a set term;
  - (2) issuance of an inscribed or non-inscribed reprimand;
  - (3) suspension of a Texas teacher certificate for a set term; or
  - (4) revocation or cancellation of a Texas teacher certificate without opportunity for reapplication for a set term or permanently.
- (f) Any irregularities in test security or confidential integrity may also result in the invalidation of student results.
- (g) The superintendent and campus principal of each school district and chief administrative officer of each charter school and any private school administering the tests as allowed under the TEC, §39.033, shall develop procedures to ensure the security and confidential integrity of the tests specified in the TEC, Chapter 39, Subchapter B, and shall be responsible for notifying the Texas Education Agency in writing of conduct that violates the security or confidential integrity of a test administered under the TEC, Chapter 39, Subchapter B. Failure to report can subject the person responsible to the applicable penalties specified in this section.

*Source: The provisions of this §101.65 adopted to be effective November 15, 2001, 26 TexReg 9091.*

**Chapter 101. Assessment****Subchapter D. Scoring and Reporting**

*Statutory Authority: The provisions of this Subchapter D issued under the Texas Education Code, Chapter 39, Subchapter B, unless otherwise noted.*

**§101.81. Scoring and Reporting.**

- (a) The superintendent of a school district or chief administrative officer of each charter school shall accurately report all test results as required by the Texas Education Code (TEC), §39.030, with appropriate interpretations, to the school district board of trustees according to the schedule in the applicable test administration materials.
- (b) A school district, charter school, or private school that administers criterion-referenced tests under the TEC, Chapter 39, Subchapter B, shall notify each of its students and his or her parent or guardian of test results, observing confidentiality requirements in the TEC, §39.030.
- (c) All test results shall be included in each student's academic achievement record and shall be furnished for each student transferring to another school district, charter school, or private school.
- (d) The scoring contractor will provide school districts with the results of the machine-scorable assessments administered as required by the TEC, §28.0211, within a ten-day period following the receipt of the test materials from the school district or charter school.

*Source: The provisions of this §101.81 adopted to be effective November 15, 2001, 26 TexReg 9091.*

**§101.83. National Comparative Data.**

- (a) In accordance with the Texas Education Code (TEC), §39.028, the commissioner of education shall develop a schedule to obtain nationally comparative results for the grades and subject areas for which assessments of academic skills are adopted under TEC, §39.023.
- (b) The Texas Education Agency will use sampling and other techniques to minimize the disruption to schools and loss of instructional time required of school districts to obtain nationally comparative data.
- (c) The nationally comparative data will be collected by using nationally recognized instruments for obtaining valid and reliable normative data from a sample of Texas students.

*Source: The provisions of this §101.83 adopted to be effective November 15, 2001, 26 TexReg 9091.*

## Chapter 101. Assessment

### Subchapter E. Local Option

*Statutory Authority: The provisions of this Subchapter E issued under the Texas Education Code, Chapter 39, Subchapter B, unless otherwise noted.*

#### §101.101. Group-Administered Tests.

- (a) An assessment instrument required under the Texas Education Code (TEC), §39.032, is defined as any district-commissioned achievement test, either nationally normed or criterion-referenced, that is group administered and reported publicly (e.g., to the local board of trustees) in the aggregate. A test given for a special purpose, such as program placement or individual evaluation (e.g., a spelling test, a diagnostic test such as a reading inventory or interim benchmark assessment, or a released statewide assessment instrument), is not included in this definition. The commissioner of education shall provide annually to school districts and charter schools a list of state-approved, norm-referenced group-administered achievement tests that test publishers certify meet the requirements of TEC, §39.032.
- (b) A company or organization scoring a test defined in subsection (a) of this section shall send test results to the school district for verification. The school district shall have 90 days to verify the accuracy of the data and report the results to the school district board of trustees. The company or organization shall provide results in electronic form in the same form that such information is provided to the school district to the Texas Education Agency (TEA) annually and data shall include as applicable the name, level, and form of the test; the year in which the test was normed; and the mean normal curve equivalent aggregated for each subject area by grade, campus, and district. State norms shall be provided if available.
- (c) A company or organization that reports results using national norms or state standards that do not comply with the TEC, §39.032, is liable for damages as stated in the TEC, §39.032(d).
- (d) To maintain the security and confidential integrity of group-administered achievement tests, school districts and charter schools shall follow the applicable procedures for test security and confidentiality delineated in Subchapter C of this chapter (relating to Security and Confidentiality). A school district may not use the same form of any test defined in subsection (a) of this section for more than three years.
- (e) Any school district that develops its own summative test that meets the definition of subsection (a) of this section is also obligated to report those results in electronic form to the TEA in the manner prescribed by the TEA.

*Source: The provisions of this §101.101 adopted to be effective November 15, 2001, 26 TexReg 9091; amended to be effective December 7, 2003, 28 TexReg 10940.*

## Chapter 101. Assessment

### Subchapter AA. Commissioner's Rules Concerning the Participation of Limited English Proficient Students in State Assessments

*Statutory Authority: The provisions of this Subchapter AA issued under the Texas Education Code, §39.023, unless otherwise noted.*

#### **§101.1001. Reading Proficiency Tests in English.**

In Grades 3-12, a limited English proficient (LEP) student, as defined by the Texas Education Code, Chapter 29, Subchapter B, shall take the reading proficiency tests in English annually until the student has achieved a rating of advanced. A LEP student who has achieved a rating of advanced is not eligible for a LEP exemption from the assessment of academic skills or the alternative assessment of academic skills in subsequent years.

*Source: The provisions of this §101.1001 adopted to be effective September 30, 2001, 26 TexReg 7270.*

#### **§101.1003. Role of the Language Proficiency Assessment Committee.**

In accordance with the Texas Education Code, §39.023(a), (l), and (m), the language proficiency assessment committee (LPAC) shall select the appropriate assessment option for each limited English proficient student as outlined in §101.1005 of this title (relating to Limited English Proficient Students at the Exit Level) and §101.1007 of this title (relating to Limited English Proficient Students at Grades Other Than the Exit Level). Assessment decisions must be made on an individual student basis and in accordance with administrative procedure established by the Texas Education Agency. The LPAC must document in the student's permanent record file the reason for the postponement authorized in §101.1005 or for the exemption authorized in §101.1007. A school district shall make a reasonable effort to determine a student's previous testing history.

*Source: The provisions of this §101.1003 adopted to be effective September 30, 2001, 26 TexReg 7270.*

#### **§101.1005. Limited English Proficient Students at the Exit Level.**

Limited English proficient (LEP) students are not eligible for an exemption from the exit level assessment of academic skills or the end-of-course tests on the basis of limited English proficiency. However, LEP students who are recent immigrants may postpone only one time the initial administration of the exit level test and end-of-course test. The term "recent immigrant" in this section is defined as an immigrant who first enrolls in U.S. schools no more than 12 months before the administration of the test from which the postponement is sought.

*Source: The provisions of this §101.1005 adopted to be effective September 30, 2001, 26 TexReg 7270.*

#### **§101.1007. Limited English Proficient Students at Grades Other Than the Exit Level.**

- (a) In Grades 3-6, the language proficiency assessment committee (LPAC) shall determine whether a limited English proficient (LEP) student is administered the assessment of academic skills in English or in Spanish. A LEP student may be administered a Spanish version of the assessment of academic skills for a maximum of three years. If the LEP student is an immigrant, the number of LEP exemptions and administrations of the assessment in Spanish must not exceed three.
- (b) In accordance with paragraphs (1)-(3) of this subsection, certain immigrant LEP students who have not yet achieved a rating of advanced on the reading proficiency tests in English may be eligible for an exemption from the assessment of academic skills during a period not to exceed their first three school years of enrollment in U.S. schools. The term "immigrant" in this subchapter is defined as a student who has resided outside the 50 U.S. states for at least two consecutive years.

## **§101.AA. Commissioner's Rules -- Participation of Limited English Proficient Students in State Assessments**

- (1) During the first school year of enrollment in a U.S. school, the immigrant student may be granted a LEP exemption if the LPAC determines that the student has not had the prior schooling necessary to provide the foundation of learning that Texas schools require and measure on the assessment, whether the foundation be in knowledge of the English language or specific academic skills and concepts in the subjects assessed.
- (2) During the second and third school year of enrollment in a U.S. school, the immigrant student for whom a primary language assessment is not available may be granted an exemption if the LPAC determines that the student lacks the academic language proficiency in English necessary for an assessment of academic skills in English to measure the student's academic progress in a valid, reliable manner.
- (3) During the second and third school year of enrollment in a U.S. school, the immigrant student for whom a Spanish-version assessment is available must take the assessment in either English or Spanish unless:
  - (A) the student is in an English as a second language (ESL) program, which does not call for instruction in Spanish, and the LPAC determines that the student lacks the language proficiency in English and the academic instruction in Spanish and/or literacy in Spanish for the assessment in either English or Spanish to measure the student's academic progress in a valid, reliable manner; or
  - (B) the student is in a bilingual education program and the LPAC has documentation, including signed verification by the parent or guardian whenever possible, that there was an extensive period of time outside the U.S. in which the student did not attend school and that this absence of schooling resulted in such limited academic achievement and/or literacy that assessment in either English or Spanish is inappropriate as a measure for school accountability.
- (c) A LEP student whose parent or guardian has declined the services required by the Texas Education Code, Chapter 29, Subchapter B, shall take the assessment of academic skills in English. The student shall also take the reading proficiency tests in English until the student has achieved a rating of advanced.
- (d) School districts may administer the assessment of academic skills in Spanish to a student who is not identified as limited English proficient but who participates in a two-way bilingual program if the LPAC determines the assessment in Spanish to be the most appropriate measure of the student's academic progress. However, the student may not be administered the Spanish-version assessment for longer than three years.

*Source: The provisions of this §101.1007 adopted to be effective September 30, 2001, 26 TexReg 7270.*

### **§101.1009. Limited English Proficient Students Who Receive Special Education Services.**

- (a) The provisions of this subchapter apply to limited English proficient (LEP) students who receive special education services except as otherwise specified in this section.
- (b) Decisions regarding the selection of assessments for LEP students who receive special education services shall be made by the admission, review, and dismissal (ARD) committee, which includes a language proficiency assessment committee (LPAC) member to ensure that issues related to the student's language proficiency are duly considered.
- (c) A LEP student who receives special education services may be exempted from the reading proficiency tests in English only if the ARD committee determines that these tests cannot provide a meaningful measure of the student's annual growth in English reading proficiency for reasons associated with the student's disability.
- (d) The provisions of §101.1007(b)(1) and (2) of this title (relating to Limited English Proficient Students at Grades Other Than the Exit Level) apply to the alternative assessment of academic skills, which is a measure of annual progress rather than grade-level mastery.

**Commissioner's Rules -- Participation of Limited English Proficient Students in State Assessments §101.AA.**

- (e) A LEP student who receives special education services and whose parent or guardian has declined the services required by the Texas Education Code, Chapter 29, Subchapter B, is not eligible for an exemption on the basis of limited English proficiency.

*Source: The provisions of this §101.1009 adopted to be effective September 30, 2001, 26 TexReg 7270.*

**§101.1011. Clarification of Provisions.**

The provisions of this subchapter shall supersede any provisions concerning participation of limited English proficient students in state assessments found in Chapter 89, Subchapter BB, of this title (relating to Adaptations for Special Populations) and this chapter to the extent that inconsistent provisions exist.

*Source: The provisions of this §101.1011 adopted to be effective September 30, 2001, 26 TexReg 7270.*

## Chapter 101. Assessment

### Subchapter BB. Commissioner's Rules Concerning the Student Success Initiative

*Statutory Authority: The provisions of this Subchapter BB issued under the Texas Education Code, §28.0211, unless otherwise noted.*

#### §101.2001. Policy.

- (a) The policy of the Texas Education Agency relating to the grade advancement testing requirements, as specified in the Texas Education Code (TEC), §28.0211(a), is to support student academic achievement of the essential knowledge and skills at each grade level to enable a student to succeed at the next grade level.
- (b) In addition to local policy relating to grade advancement, students in Grades 3, 5, and 8 shall demonstrate proficiency in the subjects required by TEC, §28.0211(a), in order to advance to the next grade. Demonstrated proficiency is defined under this section as meeting the passing standard on the appropriate assessment instruments specified by §101.2003(a) of this title (relating to Grade Advancement Testing Requirements) or on a state-approved alternate assessment authorized in §101.2011 of this title (relating to Alternate Assessment). A student who does not demonstrate proficiency as described in this section may only advance to the next grade if the student's Grade Placement Committee, as specified in §101.2007 of this title (relating to Role of Grade Placement Committee), determines by unanimous decision, in accordance with the standards for promotion established by the local school board, that the student is likely to perform at grade level at the end of the next year given additional accelerated instruction.
- (c) The purpose of these rules is to ensure the effective implementation of the grade advancement testing requirements as part of an overall system of support for student academic achievement. This system includes but is not limited to the following:
  - (1) informal and formal assessment of student needs at preceding grades and corresponding early intervention activities that address those needs;
  - (2) continuous and ongoing evaluation by a variety of means;
  - (3) research-based instructional programs;
  - (4) targeted accelerated instruction informed by multiple testing opportunities and other means of evaluation;
  - (5) a grade placement committee which decides on an individual student basis the most effective way to support a student's academic achievement on grade level; and
  - (6) accelerated education plans for every student who does not pass the required grade advancement assessments after three opportunities, whether he or she is retained or promoted by his or her grade promotion committee.

*Source: The provisions of this §101.2001 adopted to be effective May 26, 2002, 27 TexReg 4337.*

#### §101.2003. Grade Advancement Testing Requirements.

- (a) Each school district and charter school shall test eligible students in accordance with the grade advancement requirements for the grades and subjects specified in the Texas Education Code (TEC), §28.0211(a). These requirements pertain to the following assessment instruments under TEC, §39.023(a), (b), and (l):
  - (1) the reading test at Grade 3, beginning in the 2002-2003 school year;
  - (2) the reading and mathematics tests at Grade 5, beginning in the 2004-2005 school year; and
  - (3) the reading and mathematics tests at Grade 8, beginning in the 2007-2008 school year.
- (b) These requirements apply to any eligible student who is enrolled in a local school district or charter school at the time of testing as established in the assessment calendar by the commissioner of education.

- (c) A student receiving special education services under the TEC, Chapter 29, Subchapter A, enrolled in Grades 3, 5, or 8 and who is receiving instruction on grade level in the essential knowledge and skills in a subject specified under subsection (a) of this section is eligible under this section. In accordance with §101.5(b) of this title (relating to Student Testing Requirements) and TEC, §28.0211(i), the student's admission, review, and dismissal (ARD) committee shall determine appropriate assessment and acceleration options for each eligible student. Assessment decisions must be made on an individual basis and in accordance with administrative procedure established by the Texas Education Agency (TEA). These decisions shall be documented in the student's individualized education program (IEP).
- (d) A limited English proficient (LEP) student, as defined by the TEC, Chapter 29, Subchapter B, who is administered an assessment in English or Spanish for a grade and subject specified in subsection (a) of this section is eligible under this section. In accordance with §101.1003 of this title (relating to Role of the Language Proficiency Assessment Committee), the student's language proficiency assessment committee (LPAC) shall determine appropriate assessment and acceleration options for each eligible student. The grade placement committee, as specified in §101.1007 of this title (relating to Limited English Proficient Students at Grades Other Than Exit Level), shall make its decisions in consultation with a member of the student's LPAC. Assessment decisions must be made on an individual basis and in accordance with administrative procedure established by the TEA.
- (e) As specified in §101.1009 of this title (relating to Limited English Proficient Students Who Receive Special Education Services), decisions regarding assessments for LEP students who receive special education services shall be made by the ARD committee, which includes a member of the LPAC to ensure that issues related to the student's language proficiency are duly considered.
- (f) In accordance with TEC, §28.021(b), decisions regarding a student who is dyslexic and eligible under this section shall consider the student's potential for achievement or proficiency in the tested subject.
- (g) A school district or charter school must determine a student's previous testing history and, if applicable, the accelerated instructional program he or she has received.

*Source: The provisions of this §101.2003 adopted to be effective May 26, 2002, 27 TexReg 4337.*

**§101.2005. Test Administration and Schedule.**

- (a) The Texas Education Agency (TEA) shall establish the test administration procedures in the applicable test administration materials. The superintendent of each school district and chief administrative officer of each charter school shall be responsible for following these procedures and maintaining the integrity of the test administration and the security and confidentiality requirements, as specified in Chapter 101, Subchapter C, of this title (relating to Security and Confidentiality).
- (b) The TEA shall provide three opportunities per year for the tests required for grade advancement as specified in the Texas Education Code, §28.0211(a). The commissioner of education shall specify the dates of these administrations in the assessment calendar. Additional test opportunities will not be provided.
- (c) The superintendent of each school district and chief administrative officer of each charter school shall establish procedures to ensure:
  - (1) that each eligible student who is absent or does not receive a test score for any test administration shall receive appropriate accelerated instruction as warranted on an individual student basis; and
  - (2) that each eligible student who is absent or does not receive a test score for all three test opportunities and is consequently retained shall receive other appropriate means of evaluation, including the administration of an alternate assessment, as provided under §101.2011(a) of this title (relating to Alternate Assessment), so that the grade placement committee has sufficient evidence for its review upon appeal by a parent or guardian.

*Source: The provisions of this §101.2005 adopted to be effective May 26, 2002, 27 TexReg 4337.*

**§101.2007. Role of Grade Placement Committee.**

- (a) In accordance with the Texas Education Code (TEC), §28.0211, the superintendent of each school district and chief administrative officer of each charter school shall establish procedures for convening a grade placement committee (GPC) for each student who fails to demonstrate proficiency on the second administration of the test required for grade advancement. Decisions by the GPC shall be made on an individual student basis to ensure the most effective way to support the student's academic achievement on grade level.
- (b) The GPC shall be composed of the principal or principal's designee, the student's parent or guardian, and the student's teacher(s) of the subject of the grade advancement(s) test on which the student has failed to demonstrate proficiency. If this teacher is unavailable, the principal shall designate a certified professional educator who is most familiar with the student in the subject area to serve on the GPC. If more than one parent or guardian has the authority to make educational decisions regarding the student, a good faith effort must be made to notify both parents, but participation of any one parent or guardian is sufficient. Either parent or only one guardian may initiate an appeal. If both parents or guardians serve on the GPC but do not agree, either may agree to promote the student (if the remaining members of the GPC also agree to the promotion). The district may accept a parent's or guardian's written designation of another individual to serve on the GPC for all purposes. The district may accept a parent's or guardian's written and signed waiver of participation in the GPC and designation of the remaining members of the GPC as the decision-making entity for all purposes.
- (1) If a parent or guardian or designee is unable to attend a meeting, the district may use other methods to ensure parent participation, including individual and conference telephone calls. The district may designate an individual to act on behalf of the student in place of a parent, guardian, or designee if no such person can be located. A surrogate parent named to act on behalf of a student with a disability shall be considered a parent for purposes of TEC, §28.0211.
- (2) The district shall make a good faith effort to notify a parent or guardian to attend the GPC. If a parent or guardian is unavailable, the remaining members of the GPC must convene as required by this section and take any actions required, except that the GPC may not agree to promote a student under TEC, §28.0211(e), unless a parent, guardian, or designee has appealed. A district may allow an appeal to be filed in writing in lieu of attending the GPC.
- (c) Within five working days of receipt of student test results for the second administration of the test required for grade advancement, the district shall notify (for each student who fails to demonstrate proficiency) the campus principal of student test results. Upon receipt of this notice, the principal shall notify the teacher and parent or guardian of the test results. This notice shall include a description of the purpose and responsibilities of the GPC and the time and place for the GPC to hold its first meeting.
- (d) The GPC is responsible for prescribing the accelerated instruction the student is to receive before the third testing opportunity. The GPC shall also decide at this time whether the student shall take the assessment specified in §101.2003 of this title (relating to Grade Advancement Testing Requirements) or the alternate assessment, as authorized by §101.2011 of this title (relating to Alternate Assessment). In the absence of unanimous agreement, the student shall take the assessment specified in §101.2003.
- (e) The GPC must convene again if a student fails to demonstrate proficiency on the third administration of a test required for grade advancement and is thereby automatically retained at the same grade level. Within five working days of receipt of student test results for this administration, the district shall notify (for each student who fails to demonstrate proficiency) the principal or principal's designee of student test results. Upon receipt of this notice from the district, the principal shall inform the teacher and parent or guardian of the time and place for the GPC to hold a meeting. This notice shall inform the parent or guardian of the opportunity to appeal the automatic retention of the student. The district shall establish a procedure to ensure a good faith effort is made toward securing the parent's or guardian's receipt of the retention notification. The parent or guardian may appeal the retention by submitting a request to the GPC within five working days of receipt of this retention notification.

- (f) If an appeal has been initiated by the parent or guardian, the GPC may decide in favor of promotion only if the GPC concludes, upon review of all facts and circumstances and in accordance with standards adopted by the local school board, that the student is likely to perform on grade level given additional accelerated instruction during the next school year. A student may be promoted only if the GPC's decision is unanimous. The review and final decision of the GPC must be appropriately documented as meeting the standards adopted by the local school board. These standards may include but are not limited to the following:
- (1) evidence of satisfactory student performance, including grades, portfolios, work samples, local assessments, and individual reading and mathematics diagnostic tests or inventories;
  - (2) improvement in student test performance over the three testing opportunities; and
  - (3) extenuating circumstances that have adversely affected the student's participation in either the required assessments or accelerated instruction.
- (g) In accordance with TEC, §28.0211(e), the placement decision by the GPC shall be made before the start of the next school year or, if applicable, upon reenrollment of a student after this date.
- (h) A student who has been promoted upon completion of a school year in a school other than a Texas public school may be enrolled in that grade without regard to whether the student has successfully completed an assessment required under TEC, §28.0211. This subsection does not limit the authority of a district to appropriately place a student under TEC, Chapter 25, Subchapter B.
- (i) In addition to the placement decision, the GPC shall develop an accelerated educational plan for each student who does not pass after three testing opportunities, regardless of whether the student has been promoted or retained. This plan shall include the accelerated instruction that the district must provide during the next school year. The plan must be designed to enable the student to perform at the appropriate grade level by the end of the next school year. The district shall establish a policy for monitoring the student during the school year to ensure that the student is progressing in accordance with the plan. The accelerated education plan must provide for interim progress reports to the student's parent or guardian and the opportunity for consultation with the teacher and/or principal as needed.

*Source: The provisions of this §101.2007 adopted to be effective May 26, 2002, 27 TexReg 4337.*

**§101.2009. Notice to Parents or Guardians.**

- (a) As specified in §101.9 of this title (relating to Grade Advancement Requirements), the superintendent of each school district or chief administrative officer of each charter school shall notify parents or guardians of the grade advancement requirements.
- (b) The district shall provide early notice to parents or guardians of students identified in a preceding grade to be at risk of failure on the first administration of the test required for grade advancement the next year. The superintendent must establish the instruments/procedures to be used to make this determination. In the case of second grade students, it must include the results of the reading inventory required under Texas Education Code, §28.006. This notice shall be provided before the end of the school year preceding the grade advancement requirements.
- (c) The district shall establish procedures to notify the parent or guardian of a student who has failed to demonstrate proficiency on the first administration of a grade advancement test. This notification should be made within five working days of district receipt of student test results from this administration. This notice shall include the student's test results, description of the grade advancement policy, the accelerated instruction to which the student has been assigned, and the possibility that the student might be retained at the same grade level for the next school year. In addition, the notice shall encourage parents or guardians to meet immediately with the student's teacher to outline mutual responsibilities to support the student during accelerated instruction.

- (d) Whenever the district is required to notify a parent or guardian about the requirements related to promotion and accelerated instruction for students at risk of retention, including the notification requirements for the grade placement committee under §101.2007 of this title (relating to Role of the Grade Placement Committee), the district shall make a good faith effort to ensure that the notice is provided either in person or by regular mail, is clear and easy to understand, and is written in English or in the parent's or guardian's native language.

*Source: The provisions of this §101.2009 adopted to be effective May 26, 2002, 27 TexReg 4337.*

#### **§101.2011. Alternate Assessment.**

- (a) On the third testing opportunity, each school district and charter school may establish by local board policy a district-wide procedure to use a state-approved alternate assessment instead of the statewide assessment instrument specified in §101.2003(a) of this title (relating to Grade Advancement Testing Requirements). The commissioner of education shall provide annually, to school districts and charter schools, a list of state-approved group-administered achievement tests certified by test publishers as meeting the requirements of Texas Education Code, §28.0211. This list shall include nationally recognized instruments for obtaining valid and reliable data, which demonstrate student competencies in the applicable subject at the appropriate grade level range. The district shall select only one test for each applicable grade and subject to be used under this section.
- (b) The alternate assessment must be given during the period established in the assessment calendar by the commissioner of education to coincide with the date of the third administration of the statewide assessment.
- (c) A company or organization scoring a test defined in subsection (a) of this section shall send test results to the school district for verification within ten working days following receipt of the test materials from the school district.
- (d) To maintain the security and confidential integrity of group-administered achievement tests, school districts and charter schools shall follow the procedures for test security and confidentiality delineated in Chapter 101, Subchapter C, of this title (relating to Security and Confidentiality).

*Source: The provisions of this §101.2011 adopted to be effective May 26, 2002, 27 TexReg 4337.*

#### **§101.2013. Accelerated Instruction.**

- (a) Each time a student fails to demonstrate proficiency on an assessment required for grade advancement, the school district or charter school shall provide the student with accelerated instruction in the applicable subject. Accelerated instruction should be consistent with previous diagnostic testing and intervention activities, if any, the student has received. Group-administered accelerated instruction may not have a ratio of more than ten students to each teacher.
- (b) Accelerated instruction required after the first and second testing opportunities should be designed to address student needs to the greatest extent possible before the next respective testing opportunity.
- (c) Each school district and each charter school shall be responsible for providing transportation to students required to attend acceleration programs if these programs occur outside of regular school hours.
- (d) Accelerated instruction shall be based on but not limited to the following:
- (1) assessment of specific student needs, which may include as appropriate the following: teacher observations and evaluations; academic progress reports; previous identification of student needs and corresponding interventions; and performance on previous assessment instruments in the applicable subject.
  - (2) best instructional practices identified through research that the district may obtain and implement through technical assistance from the Texas Education Agency and education service centers.

*Source: The provisions of this §101.2013 adopted to be effective May 26, 2002, 27 TexReg 4337.*

**§101.2015. Parental Waiver.**

The superintendent of each school district and chief administrative officer of each charter school shall establish a waiver process by which a parent or guardian may request that a student not participate in the third test opportunity due to potential harm to the student. The waiver must provide documentation of potential harm, student need, and other appropriate information. If a parental waiver is granted, the student must still participate in all required acceleration and is subject to retention based on the failure on the second test administration.

*Source: The provisions of this §101.2015 adopted to be effective May 26, 2002, 27 TexReg 4337.*

**§101.2017. Scoring and Reporting.**

- (a) In accordance with §101.81 of this title (relating to Scoring and Reporting), the scoring contractor will provide school districts with the results of the assessments required by the Texas Education Code, §28.0211, or, if applicable, the results of the alternate assessment specified in §101.2011 of this title (relating to Alternate Assessment), within ten working days following the receipt of the test materials from the school district or charter school.
- (b) As specified by Texas Education Code (TEC), §39.051(b)(7), the superintendent of each school district and chief administrative officer of each charter school shall report the following information to the Texas Education Agency:
  - (1) the percentage of students, aggregated by grade level, provided accelerated instruction under TEC, §28.0211(c);
  - (2) the results of assessments administered under TEC, §28.0211(c);
  - (3) the percentage of students promoted through the grade placement committee process under TEC, §28.0211; and
  - (4) the subject of the assessment instrument on which each student failed to perform satisfactorily, and the performance of those students in the school year following that promotion on the assessment instruments required under TEC, §39.023.

*Source: The provisions of this §101.2017 adopted to be effective May 26, 2002, 27 TexReg 4337.*

**§101.2019. Credit for High School Graduation.**

- (a) Students who have been retained in Grade 8 in accordance with the grade advancement testing requirements may earn course credit for high school graduation during the next school year in subject areas other than the required courses in the subject area which caused the student to be retained.
- (b) The school board of each district and each charter school may establish a policy that provides for the placement of retained students in an age-appropriate learning environment. In accordance with local grade configurations for elementary, middle, and high school campuses, this policy may specify the age by which a retained student should be placed on the next level campus even though not yet promoted to the grade of that campus.

*Source: The provisions of this §101.2019 adopted to be effective May 26, 2002, 27 TexReg 4337.*

## Chapter 101. Assessment

### Subchapter CC. Commissioner's Rules Concerning Implementation of Testing Program

*Statutory Authority: The provisions of this Subchapter CC issued under the Texas Education Code, Chapter 39, Subchapter B, unless otherwise noted.*

#### §101.3001. Implementation of New Assessment Instruments.

- (a) In this section, the Act means Acts of the 76th Texas Legislature, 1999, Chapter 397.
- (b) In accordance with Senate Bill 103, Section 9, 76th Texas Legislature, 1999, this section is adopted by the commissioner of education for the implementation of the Texas Education Code (TEC), §39.023.
  - (1) The State Board of Education (SBOE) shall administer each assessment instrument added by the Act not later than the 2002-2003 school year, in accordance with the rules governing the assessment program set forth in Chapter 101 of this title (relating to Assessment).
  - (2) The Texas Education Agency (TEA), not later than the 2004-2005 school year, shall include the results of student performance on each assessment instrument added by the Act in evaluating the performance of school districts, campuses, and open enrollment charter schools under the TEC, Chapter 39, Subchapter D.
  - (3) The SBOE, not later than the 2004-2005 school year, shall administer assessment instruments under the TEC, §39.023(b), that correspond to the following assessment instruments required under the TEC, §39.023(a), as amended by the Act:
    - (A) the mathematics assessment instrument administered in Grades 9 and 10;
    - (B) the reading assessment instrument administered in Grade 9; and
    - (C) the English language arts assessment instrument administered in Grade 10.
  - (4) The TEA, not later than the 2006-2007 school year, shall include the results of student performance on each assessment instrument described by paragraph (3) of this subsection in evaluating the performance of school districts, campuses, and open-enrollment charter schools under the TEC, Chapter 39, Subchapter D.
  - (5) Pending the introduction of any assessment instrument added by the Act:
    - (A) the SBOE shall administer each appropriate assessment under the TEC, §39.023, as that section existed before amendment by the Act;
    - (B) a student who performed satisfactorily on the end-of-course assessment instruments specified by the TEC, §39.025, as that section existed before amendment by the Act, is entitled to receive a high school diploma if the student completes all other requirements for high school graduation; and
    - (C) the former law as specified in the TEC, Chapter 39, Subchapter B, is continued in effect for the purposes provided by this paragraph.

*Source: The provisions of this §101.3001 adopted to be effective February 16, 2003, 28 TexReg 1175.*

#### §101.3003. Transitional Issues Related to New Assessment Program.

Section 101.7(b) of this title (relating to Testing Requirements for Graduation) specifies the first class that must fulfill testing requirements for graduation with the Grade 11 exit level Texas Assessment of Knowledge and Skills (TAKS) tests as students who were enrolled in Grade 8 or a lower grade on January 1, 2001, for students on a regular track toward graduation. This section applies to students who are on an accelerated track to graduate prior to the 2004-2005 school year. Regardless of whether they were enrolled in Grade 8 or a lower grade on January 1, 2001, students who fulfill all graduation requirements other than

passage of an exit level test before September 1, 2004, may fulfill their testing requirements for graduation with the Grade 10 exit level Texas Assessment of Academic Skills (TAAS) test.

*Source: The provisions of this §101.3003 adopted to be effective February 16, 2003, 28 TexReg 1175.*

LOCAL  
ACHIEVEMENT  
TESTING

In addition to the state-administered assessment instruments, the District may adopt and administer criterion-referenced or norm-referenced assessment instruments, or both, at any grade level, but shall not use the same form of an assessment instrument for more than three years. A locally adopted norm-referenced assessment instrument must be economical, nationally recognized, and state-approved. *Education Code 39.026, 39.032; 19 TAC 101.101*

To maintain security and confidential integrity of group-administered achievement tests, the District shall follow the procedures for test security and confidentiality set forth in 19 TAC Chapter 101, Subchapter C. [See EKB(LEGAL) at SECURITY and CONFIDENTIALITY]

HIGH SCHOOL  
EQUIVALENCY  
PROGRAM

The District or an open-enrollment charter school may apply for authorization to operate a High School Equivalency Program (HSEP) if the District or charter school was operating a TEA-authorized General Educational Development (GED) in-school pilot program on May 1, 2001, and had at least one student enrolled in that pilot program during the 2000-01 school year. *19 TAC 89.1405*

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DATE ISSUED: 12/02/2002  
UPDATE 69  
EK(LEGAL)-P

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PURPOSES	<p>Standardized tests, in addition to the criterion-referenced test instruments authorized by TEC Chapter 39, Subchapter B, may be administered at intervals determined by policy or the instructional staff, as appropriate, to accomplish the following purposes:</p> <ol style="list-style-type: none"><li>1. Diagnose specific skill deficiencies for individual students.</li><li>2. Provide information that can be used to plan instructional activities that capitalize on individual student strengths.</li><li>3. Provide teachers with data to use in evaluating the effectiveness of their planning and teaching strategies.</li><li>4. Assess student achievement and provide objective data for evaluation and reporting student progress.</li><li>5. Assess aspects of the instructional program, providing information that can be used in planning program improvements.</li><li>6. Assess the District's curriculum.</li><li>7. Comply with TEC Section 28.023 concerning credit-by-examination. [See EEJB]</li></ol>
RECORDS	<p>All information derived from the testing program shall be used in a manner consistent with professional standards. Records of all testing shall be maintained as part of the students' permanent record(s). [See FL]</p>
CONDUCT	<p>In general, all professional staff members are expected to adhere to commonly accepted standards of professional conduct with regard to the use of standardized test materials, administration of standardized tests, and interpretation of standardized test results. These expectations are specifically referenced to the "Standards for Educational and Psychological Testing," published jointly in 1985 by the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education. The relevant standards, listed below, apply to all professional staff and to all standardized tests administered within the District:</p> <p>Standard 15.1: In typical applications, test administrators should follow carefully the standardized procedures for administration and scoring specified by the test publisher. Specifications regarding instructions to test takers, time limits, the form of item presentation or response, and test materials or equipment should be strictly observed. Exceptions should be made only on the basis of carefully considered professional judgment, primarily in clinical applications.</p> <p>Standard 15.3: Reasonable efforts should be made to assure the validity of test scores by eliminating opportunities for test takers to attain scores by fraudulent means.</p> <p>Standard 15.4: In school situations not involving admissions and in clinical and counseling applications, any modification of standard test administration procedures or scoring should be described in the testing reports with appropriate cautions regarding the possible effects of such modifications on validity.</p> <p>Standard 15.7: Test users should protect the security of test materials.</p>
REPORTS	<p>The Superintendent shall report to the Board at least annually the results of student achievement on standardized tests. The Superintendent shall include in the report explanations for areas in which District students are deficient and shall submit</p>

recommendations for correcting those deficiencies.

OTHER  
ASSESSMENTS

Nothing in this policy shall be construed to limit a teacher's prerogative to administer appropriate classroom assessments to monitor student progress or to prohibit the District from acquiring or developing nonstandardized performance-based and/or portfolio-based assessment systems as deemed appropriate by the instructional staff.

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DATE ISSUED: 05/18/1998

LDU-20-98

EK(LOCAL)-X

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**STATE ASSESSMENT OF ACADEMIC SKILLS** The statewide assessment program shall be primarily knowledge and skills based to ensure accountability for student achievement that achieves the state goals for public education. The state-adopted criterion-referenced assessment program shall be designed to assess essential knowledge and skills in reading, writing, mathematics, social studies, and science. Assessment instruments shall include assessment of a student's problem-solving ability and complex-thinking skills using a method of assessing those abilities and skills that is demonstrated to be highly reliable.

The state-adopted exit-level assessment instrument shall be designed to be administered to students in grade 11 to assess essential knowledge and skills in mathematics, English language arts, social studies, and science.

Every student receiving instruction in the essential knowledge and skills shall take the appropriate criterion-referenced tests, as required by Education Code 39.023(a), (b), (c), (l) and 39.027(e).

*Education Code 39.022, 39.023(a), (c), (f); 19 TAC 101.1, 101.5(a)*

To be eligible to receive a high school diploma, a nonexempt student must demonstrate satisfactory performance on the exit-level test. *Education Code 39.025(b); 19 TAC 101.7 (a)* [See EIF]

**ADMINISTRATION** The District shall follow the test administration procedures established by TEA in the applicable test administration materials. The Superintendent shall be responsible for:

1. Maintaining the integrity of the test administration process; and
2. Ensuring that every test administrator receives at least annual training in these procedures as provided by TEA through the education service centers.

*19 TAC 101.27*

**SCHEDULE** The Commissioner shall specify the schedule for testing. The Superintendent shall be responsible for administering tests. The Commissioner may provide alternate dates for the administration of tests required for a high school diploma to students who are migratory children and who are out of the state. *19 TAC 101.25*

All students, except students who are exempted, who are in special education programs, and whose ARD committees determine the assessment instrument would not provide an appropriate measure of achievement [see ALTERNATIVE ASSESSMENT, below], shall be assessed in:

1. Mathematics, annually in grades 3 through 7 without the aid of technology and in grades 8 through 11 with the aid of technology on any assessment instruments that include algebra;
2. Reading, annually in grades 3-9;
3. Writing, including spelling and grammar, in grades 4 and 7;
4. English language arts in grade 10;
5. Social studies in grades 8 and 10; and
6. Science in grades 5 and 10.

*Education Code 39.023(a)*

NOTICE TO PARENTS  
AND STUDENTS

In order to provide timely and full notification of graduation requirements and of testing requirements for advancement at certain grades, the Superintendent shall be responsible for:

1. Notifying each student and the student's parent or guardian in writing no later than the beginning of the student's seventh-grade year of the testing requirements for graduation;
2. Notifying each student in grades 7-12 new to the District and the student's parent or guardian in writing of the testing requirements for graduation;
3. Notifying each student who shall take the tests required for graduation and his or her parent or guardian, as well as out-of-school individuals, of the dates, times, and locations of testing;
4. Notifying each student and the student's parent or guardian in writing no later than the beginning of the student's first-grade year or no later than the beginning of the student's kindergarten year, for students attending kindergarten in the District, of the testing requirements for grade advancement as specified in Education Code 28.0211 [see EIE];
5. Notifying each student in grades 1-8 who is new to the District and his or her parent or guardian in writing of the testing requirements for grade advancement; and
6. Notifying each student required to take the grade advancement tests of the dates, times, and locations of testing.

*19 TAC 101.13*

RETAKES

According to procedures specified in the applicable test administration materials, an eligible student or out-of-school individual who has not met graduation requirements may retest on a schedule determined by the Commissioner. A student who has been denied a diploma because the student failed to meet standards of performance on any sections of the instrument may retake the sections each time the instrument is administered. A student shall not be required to demonstrate performance at a standard higher than the one in effect when the student was first eligible to take the test. *Education Code 39.025(b); 19 TAC 101.7(a)(2), (d)*

STUDENTS WITH  
DISABILITIES

A student receiving special education services enrolled in grades 3-8 and who is receiving instruction in the essential knowledge and skills shall take the assessment of academic skills unless the student's ARD committee determines that it is an inappropriate measure of the student's academic progress as outlined in the student's IEP. If the ARD committee determines that the assessment is an inappropriate measure of the student's academic progress in whole or part, the student shall take the alternative assessment of academic skills in whole or part. Each testing accommodation shall be documented in the student's IEP in accordance with federal law. Beginning with the 2004-05 school year when alternative assessment of academic skills is available for grades 9-10, this provision also applies to students enrolled in these grades. *19 TAC 101.5(b)*

The ARD committee shall determine the level of performance considered to be satisfactory on the assessment instruments administered to that student in accordance with TEA rules. *Education Code 39.024(a)*

ALTERNATIVE  
ASSESSMENT

TEA shall develop or adopt appropriate criterion-referenced assessment instruments to be administered to each student in a special education program who receives modified instruction in the essential knowledge and skills identified under Education Code 28.002 for the assessed subject but for whom an assessment instrument, even with allowable modifications, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal committee.

The alternative assessment instrument must assess essential knowledge and skills and

growth in the subjects of reading, mathematics, and writing and shall be administered on the same schedule as the assessment instruments administered to all other students.

*Education Code 39.023(b)*

The alternative assessment of academic skills will measure annual growth based on appropriate expectations for each special education student, as determined by the student's ARD committee in accordance with criteria established by the Commissioner. *19 TAC 101.23(b)*

PERMISSIBLE  
ACCOMMODATIONS

Testing accommodations on the assessments administered are permitted for any student unless they would make a particular test invalid. Decisions regarding testing accommodations shall take into consideration the needs of the student and the accommodations the student routinely receives in classroom instruction.

For a student receiving special education services, the ARD committee shall determine the allowable accommodations necessary for the student to take the assessments and shall document them in the student's IEP. Permissible testing accommodations shall be described in the appropriate test administration materials.

*19 TAC 101.29*

EXEMPTIONS -  
SPECIAL  
EDUCATION

A student may be exempted from the administration of:

1. The state assessment instrument or an alternate assessment if the student is eligible for special education and the student's IEP does not include instruction in the essential knowledge and skills at any grade level;
2. Exit-level exams if the student is eligible for special education, and:
  - a. The student's IEP does not include instruction in the essential knowledge and skills at any grade level; or
  - b. The assessment instrument, even with allowable modifications, would not provide an appropriate measure of the student's achievement as determined by the student's ARD committee.

*Education Code 39.027(a)(1), (2)*

A student receiving special education services enrolled in grades 3-10, according to the grade implementation schedule stated at STUDENTS WITH DISABILITIES, and who is not receiving any instruction in the essential knowledge and skills, shall be considered exempt. Each exemption shall be documented in the student's IEP in accordance with federal law. Each exempted student shall take an appropriate locally selected assessment, as determined by the student's ARD committee, in accordance with procedures developed by TEA. Student performance results on these alternate assessments must be reported to TEA. *19 TAC 101.5(c)*

LEP STUDENTS  
IN SPECIAL  
EDUCATION

Decisions regarding the selection of assessments for LEP students who receive special education services shall be made by the ARD committee, which includes an LPAC member to ensure that issues related to the student's language proficiency are duly considered.

An LEP student who receives special education services may be exempted from the reading proficiency tests in English only if the ARD committee determines that these tests cannot provide a meaningful measure of the student's annual growth in English reading proficiency for reasons associated with the student's disability.

The provisions at LEP STUDENTS AT OTHER GRADES apply to the alternative assessment of academic skills, which is a measure of annual progress rather than grade-level mastery.

An LEP student who receives special education services and whose parent or guardian has declined the services required by Education Code Chapter 29, Subchapter B [see EHBE], is not eligible for an exemption on the basis of limited English proficiency.

*19 TAC 101.1009, 101.1011*

STUDENTS  
WITH  
DYSLEXIA

TEA shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess the ability of and to be administered to each student who is determined to have dyslexia or a related disorder and who is an individual with a disability under 29 U.S.C. 705(20), for whom the assessment instruments, even with allowable modifications, would not provide an appropriate measure of student achievement, as determined by the committee established by the Board to determine the placement of students with dyslexia or related disorders. The committee shall determine whether any allowable modification is necessary in administering to a student an assessment instrument required under this provision. *Education Code 39.023(n)*

LIMITED ENGLISH  
PROFICIENCY (LEP)  
STUDENTS

In grades 3-12, an LEP student, as defined by Education Code Chapter 29, Subchapter B, shall participate in the assessments in accordance with Commissioner's rules at 19 TAC Chapter 101, subchapter AA. In grades 3-6, the language proficiency assessment committee (LPAC) shall determine whether a nonexempt LEP student whose primary language is Spanish will take the assessment of academic skills in English or in Spanish. The decision as to the language of the assessment shall be based on the assessment that will provide the most appropriate measure of the student's academic progress. *19 TAC 101.5(d)*

ACADEMIC  
PROGRESS  
EVALUATION

The Commissioner shall develop an assessment system that shall be used for evaluating the academic progress, including reading proficiency in English, of all students of limited English proficiency. An LEP student who is exempt from the administration of an assessment instrument who achieves reading proficiency in English as determined by the assessment system shall be administered the appropriate assessment instrument. *Education Code 39.027(e)*

TESTING IN  
SPANISH

The SBOE shall adopt rules for the administration of assessment instruments in Spanish to students in grades 3 through 6 who are of limited English proficiency, whose primary language is Spanish, and who are not otherwise exempt from the administration of an assessment instrument. Each LEP student whose primary language is Spanish, other than a student eligible for special education services, may be assessed using assessment instruments in Spanish for up to three years or assessment instruments in English. The LPAC shall determine which students are to be administered assessment instruments in Spanish.

The Commissioner by rule shall develop procedures under which the LPAC shall determine which LEP students are exempt from the administration of the assessment instruments. The rules shall ensure that the LPAC provides that the exempted students are administered the assessment instruments at the earliest possible date.

*Education Code 39.023(l), (m)*

READING  
PROFICIENCY  
TESTS

In grades 3-12, an LEP student shall take the reading proficiency tests in English annually until the student has achieved a rating of advanced. An LEP student who has achieved a rating of advanced is not eligible for an LEP exemption from the assessment of academic skills or the alternative assessment of academic skills in subsequent years. *19 TAC 101.1001*

LANGUAGE  
PROFICIENCY  
ASSESSMENT  
COMMITTEE

In accordance with Education Code 39.023(a), (l), and (m), the LPAC shall select the appropriate assessment option for each LEP student in accordance with this policy at LEP STUDENTS AT THE EXIT LEVEL and LEP STUDENTS AT OTHER GRADES. Assessment decisions must be made on an individual student basis in accordance with administrative procedures established by TEA. The LPAC must document the reason for the postponement or exemption in the student's permanent record file. The District shall make a reasonable effort to determine a student's previous testing history. *19 TAC 101.1003*

## EXEMPTIONS

A student may be exempted from the administration of an assessment instrument:

1. Under Education Code 39.023(a) or (l) for a period of up to one year if the student is of limited English proficiency and has not demonstrated proficiency in English as determined by the assessment system developed to evaluate academic progress of an LEP student; or
2. Under Education Code 39.023(a) or (l) for an additional two years if the student received the one year exemption and is a recent unschooled immigrant or is in a grade for which no assessment instrument in the primary language of the student is available.

"Recent unschooled immigrant" means an immigrant who initially enrolled in a school in the United States not more than 12 months before the date of the administration of an assessment instrument under Education Code 39.023(a) or (l) and who, as a result of inadequate schooling outside of the United States, lacks the necessary foundation in the essential knowledge and skills of the curriculum determined by the LPAC. [See EHBE] To the extent authorized by federal law, a child's prior enrollment in a school in the United States shall be determined on the basis of documents and records required for enrollment. [See FD]

*Education Code 39.027(a)(3), (4), (g)*

### LEP STUDENTS AT THE EXIT LEVEL

LEP students are not eligible for an exemption from the exit level assessment of academic skills or the end-of-course tests on the basis of limited English proficiency. However, LEP students who are recent immigrants may postpone only one time the initial administration of the exit level test and end-of-course test. "Recent immigrant" means an immigrant who first enrolls in U.S. schools no more than 12 months before the administration of the test from which the postponement is sought. *19 TAC 101.1005*

### LEP STUDENTS AT OTHER GRADES

In grades 3-6, the LPAC shall determine whether an LEP student is administered the assessment of academic skills in English or in Spanish. An LEP student may be administered a Spanish version of the assessment of academic skills for a maximum of three years. If the LEP student is an immigrant, the number of LEP exemptions and administrations of the assessment in Spanish must not exceed three.

### IMMIGRANT STUDENTS

Certain immigrant LEP students who have not yet achieved a rating of advanced on the reading proficiency tests in English may be eligible for an exemption from the assessment of academic skills during a period not to exceed their first three school years of enrollment in U.S. schools. "Immigrant" is defined as a student who has resided outside the 50 United States for at least two consecutive years.

1. During the first school year of enrollment in a U.S. school, the immigrant student may be granted an LEP exemption if the LPAC determines that the student has not had the prior schooling necessary to provide the foundation of learning that Texas schools require and measure on the assessment, whether the foundation be in knowledge of the English language or specific academic skills and concepts in the subjects assessed.
2. During the second and third school year of enrollment in a U.S. school, the immigrant student for whom a primary language assessment is not available may be granted an exemption if the LPAC determines that the student lacks the academic language proficiency in English necessary for an assessment of academic skills in English to measure the student's academic progress in a valid, reliable manner.
3. During the second and third school year of enrollment in a U.S. school, the immigrant student for whom a Spanish-version assessment is available must take the assessment in either English or Spanish unless:
  - a. The student is in an English as a second language program that does not call for instruction in Spanish and the LPAC determines that the student lacks the language proficiency in English and the academic instruction and/or literacy in

- Spanish for the assessment in either English or Spanish to measure the student's academic progress in a valid, reliable manner; or
- b. The student is in a bilingual education program and the LPAC has documentation, including signed verification by the parent or guardian whenever possible, that there was an extensive period of time outside the U.S. in which the student did not attend school and that this absence of schooling resulted in such limited academic achievement and/or literacy that assessment in either English or Spanish is inappropriate as a measure for school accountability.

An LEP student whose parent or guardian has declined the services required by Education Code Chapter 29, Subchapter B [see EHBE], shall take the assessment of academic skills in English. The student shall also take the reading proficiency tests in English until the student has achieved a rating of advanced.

Districts may administer the assessment of academic skills in Spanish to a student who is not identified as LEP but who participates in a two-way bilingual program if the LPAC determines the assessment in Spanish to be the most appropriate measure of the student's academic progress. However, the student may not be administered the Spanish-version assessment for longer than three years.

*19 TAC 101.1007*

FOREIGN  
EXCHANGE  
STUDENTS

A foreign exchange student who has waived in writing his or her intention to receive a Texas high school diploma may be excused from the exit-level assessment requirement. *19 TAC 101.7(a)(3)*

REPORTING  
RESULTS

TO THE PUBLIC

Overall student performance data, aggregated by ethnicity, sex, grade level, subject area, campus, and district, shall be made available to the public, with appropriate interpretations, at regularly scheduled meetings of the Board, after receipt from TEA. The information shall not contain the names of individual students or teachers. *Education Code 39.030(b)*

TO THE BOARD

The Superintendent shall accurately report all test results with appropriate interpretations to the Board according to the schedule in the applicable test administration materials.

TO PARENTS AND  
STUDENTS

The District shall notify each of its students and his or her parent or guardian of test results, observing confidentiality requirements stated at CONFIDENTIALITY. All test results shall be included in each student's academic achievement record and shall be furnished for each student transferring to another district or school. [See BQ series, FD, and FL]

*19 TAC 101.81*

PARENTAL  
ACCESS

A parent is entitled to access to a copy of each state assessment instrument administered to the parent's child. This right of access does not apply, however, to those instruments or particular questions that are being field-tested by TEA. *Education Code 26.005, 26.006(a)(2)*

SECURITY

The statewide assessment program is a secure testing program. Procedures for maintaining security shall be specified in the appropriate test administration materials. Secure test materials must be accounted for before, during, and after each test administration. Only authorized personnel may have access to secure test materials. *19 TAC 101.61*

CONFIDENTIALITY

The contents of each test booklet and answer document are confidential in accordance with state and federal law. Individual student performance results are confidential and may be released only in accordance with the Family Education Rights and Privacy Act of 1974. *Education Code 39.030(b); 19 TAC 101.63* [See FL and GBA]

PENALTIES

Violation of security or confidential integrity of any test shall be prohibited. A person who

engages in prohibited conduct may be subject to sanction of credentials.

Procedures for maintaining the security and confidential integrity of a test shall be specified in the appropriate test administration materials. Conduct that violates the security and confidential integrity of a test is defined as any departure from the test administration procedures established by the Commissioner. Conduct of this nature may include the following acts and omissions:

1. Duplicating secure examination materials;
2. Disclosing the contents of any portion of a secure test;
3. Providing, suggesting, or indicating to an examinee a response or answer to a secure test item or prompt;
4. Changing or altering a response or answer of an examinee to a secure test item or prompt;
5. Aiding or assisting an examinee with a response or answer to a secure test item or prompt;
6. Encouraging or assisting an individual to engage in the conduct described in 1-5 above; or
7. Failing to report to an appropriate authority that an individual has engaged in conduct outlined in 1-6 above.

Any person who violates, assists in the violation of, or solicits another to violate or assist in the violation of test security or confidential integrity, and any person who fails to report such a violation are subject to the following penalties:

1. Placement of restrictions on the issuance, renewal, or holding of a Texas teacher certificate, either indefinitely or for a set term;
2. Issuance of an inscribed or non-inscribed reprimand;
3. Suspension of a Texas teacher certificate for a set term; or
4. Revocation or cancellation of a Texas teacher certificate without opportunity for reapplication for a set term or permanently.

Any irregularities in test security or confidential integrity may also result in the invalidation of student results.

The Superintendent and campus principal shall develop procedures to ensure the security and confidential integrity of the tests and shall be responsible for notifying TEA in writing of conduct that violates the security or confidential integrity of a test. Failure to report can subject the person responsible to the applicable penalties specified above.

*19 TAC 101.65*

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DATE ISSUED: 12/16/2003  
UPDATE 72  
EKB(LEGAL)-P

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Students who have received instruction but did not pass any subject in elementary grades or receive credit in any academic course at the secondary level, may use credit by examination to demonstrate mastery and regain either whole or half credit.

EXTRACURRICULAR ACTIVITIES	Credit by examination shall not be used to circumvent the no-pass-no-play rules during the school year. However, credit by examination may be used to earn credits to meet the academic eligibility for UIL activities for the first six weeks.
PASSING SCORE	To receive credit, students shall score a grade of 70 percent or above on the examination.
PROCEDURES	Tests shall be administered according to procedures approved by the Superintendent or designee.
DATES	In addition to the testing dates established under EEJB(LOCAL), testing may be arranged through the student's counselor throughout the year.
CHANGING GRADES	Students may not use credit by examination to change their grade in any subject for which they have previously received a passing grade of 70 or above at the elementary level or a course for which they have previously received credit at the secondary level.
EXCESSIVE ABSENCES	On approval of the attendance committee, a student who has a passing grade but who has failed a course because of excessive absences may be permitted to earn or regain course credit through credit by examination [see FEC(LOCAL)].
FEES	No fee shall be charged for tests administered on the testing dates established by the District under EEJB(LOCAL). A fee not to exceed the cost of procuring, administering, and scoring the test shall be charged for tests administered at other times.

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DATE ISSUED: 12/29/2003  
LDU-52-03  
EEJA(LOCAL)-X

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The purpose of the credit by examination for acceleration program is to allow students to progress to courses that challenge them without having to take courses that cover information they already know.

**TEST SELECTION** The examinations for grades 1-12 shall be from Texas Tech University or the University of Texas at Austin, other testing instruments approved by the Board upon recommendation by the teaching and learning division, or tests developed by the teaching and learning division when such tests are not available.

The examinations for kindergarten shall be the Observation Survey of Early Literacy Achievement and the Riverside Mini-Battery of Achievement or mathematics tests or other testing instruments approved by the Board upon recommendation by the teaching and learning division.

The District may require completion of District-mandated course projects (e.g., term paper) as part of some course examinations.

**TEST DATES** Examinations shall be provided annually on dates established by the Superintendent or designee. The District shall provide at least three days between January 1 and June 30 and three days between July 1 and December 31 annually when examinations for acceleration shall be administered in grades 1-12. The days need not be consecutive but shall be designed to meet the needs of all students. Two days shall be established toward the end of the first semester for grades 6-12 examinations. The Superintendent or designee shall ensure that such dates are published for students and parents.

**REGISTRATION** A student planning to take an examination for acceleration shall be required to register with the principal or designee no later than the published deadline. Students who register for an exam and do not take the exam shall be assessed a fine. A student may not retest on an exam in which he or she failed to reach the criterion set for acceleration during the same academic year.

The District is not obligated to provide study guides or textbooks for students to prepare for the examination.

**FEES** No fee shall be charged for an examination for acceleration provided by the District. If a parent requests an alternate examination, the District may administer a test purchased by the parent or student from a university approved by the State Board.

**CREDIT APPROVAL** There is no limit to how many grade levels or courses a student may skip during their school years. However, a student in kindergarten through grade 8 may advance only one grade level each testing period. A student in grades 6-12 may advance only one course in a subject area in each testing period.

**CRITERIA FOR ADVANCEMENT** The criteria for advancement are listed by grade levels.

**KINDERGARTEN-  
GRADE 5** In addition to meeting the examination criteria, a student in kindergarten through grade 5 must have the following in order to be advanced:

1. A District representative recommends the advancement.
2. Parents or guardian approve the advancement in writing.

KINDERGARTEN EXAMINATION A kindergarten student shall be advanced to first grade if he or she achieves a rank of Stanine 8 or above on all tests.

If advanced to first grade, the student's placement shall be reviewed after six weeks to determine appropriateness of the placement based on social and emotional adjustment.

GRADES 1-5 A student in grades 1-5 shall be advanced one grade level if he or she scores 85 percent or above on all the examinations, including any required projects, in each of the areas of language arts, mathematics, science, and social studies.

GRADES 6-12 A student in grades 6-12 shall be given credit for an academic course if the student scores 85 percent or above on the course examination, including any required projects. Other credit by examination may be awarded in extenuating circumstances with approval of the principal if the student scores 85 percent or above on the examination.

GRADES 6-8 A student in grades 6-8 shall be advanced one grade level if the student scores 85 percent or above on all examinations, including any required projects, in each of the areas of language arts, mathematics, science, and social studies.

RECORDING OF GRADES When a student is advanced, regular credit is given and the examination score is entered in the student's transcript/permanent record. The score entered on the transcript shall be used when computing the student's GPA and class rank.

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DATE ISSUED: 12/29/2003  
LDU-52-03  
EEJB(LOCAL)-X

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