

2022-2023

Participation in the Virginia Assessment Program:

A Resource for Educators and Parents
of Students with Disabilities

Virginia Department of Education
Revised September 2022

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Procedures for Participation of Students with Disabilities in Virginia's Accountability System: Introduction

It is the intent of the Commonwealth of Virginia to include *all* students with disabilities in the assessment component of Virginia's accountability system. The federal regulations under

Section 504 of the *Rehabilitation Act of 1973*, as amended, and Regulations Governing Special Education Programs for Children with Disabilities in Virginia at 8 VAC20-81-20.4

(corresponding with *Individuals with Disabilities Education Improvement Act of 2004*, at 20 USC § 1412(a) (16) (A), Virginians with Disabilities Act, Section 51.5-40 *et seq.* of the Code of Virginia, require that individuals with disabilities be given equal opportunity to participate in and benefit from the policies and procedures customarily granted to all individuals.

The purpose of this document is to provide a resource for educators and parents regarding the state assessment system and how students with disabilities are included. It provides participation information by describing each assessment program and procedures for determining eligibility.

I. Description of Virginia Assessment Programs

Students with disabilities in the Commonwealth of Virginia include identified students under the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA) and under Section 504 of the *Rehabilitation Act* of 1973, as amended. IDEA and its implementing state and federal regulations require that all students with disabilities participate in the state's accountability system. More specifically, students with disabilities are expected to participate in all content area assessments that are available to students without disabilities.

A. Standards of Learning (SOL) Assessment Program

The SOL in the content areas of English, mathematics, science, and history/social science are intended to set reasonable targets and expectations for what teachers are expected to teach and students are expected to learn. The results of SOL assessments for these content areas inform parents and teachers about what students are learning in relation to the SOL and hold schools accountable for teaching the SOL content. Students with disabilities may participate in SOL assessments with or without accommodations.

B. Growth Assessments

Students in Virginia public schools, including students with disabilities who are receiving instruction based on the SOL will take Growth Assessments in grades 3-8 reading and mathematics. The administration of the Growth Assessments will occur in the fall and winter, in addition to the spring Standards of Learning (SOL) assessment in Grades 3–8 reading and mathematics. Students with disabilities may participate in Growth Assessments with or without accommodations.

C. Virginia Alternate Assessment Program (VAAP)

The VAAP is an alternate assessment based on alternate achievement standards and is specifically designed to evaluate the achievement of students with significant cognitive disabilities in grades 3-8 and high school. VAAP participants are instructed in academic standards called Virginia Essentialized Standards of Learning (VESOL) that are available in reading, mathematics, and science. The VESOL were developed from the Virginia SOL and have been reduced in depth, breadth, and complexity to make the content relevant, accessible, and appropriate for students with significant cognitive disabilities. Only students with significant cognitive disabilities who are eligible under IDEA and who meet the VAAP guidelines for participation may be assessed through the VAAP. Participation decisions for the VAAP assessment are made on an individual basis. Students with disabilities served by 504 Plans are not eligible for VAAP.

Students who participate in VAAP will demonstrate their achievement on the VESOL. While the VAAP tests are offered online, students may also be provided with paper copies of the test items. Testing conditions and individual test accommodations provide eligible VAAP participants access to the test as a means to demonstrate their knowledge and skills. Testing conditions are available to all eligible VAAP students; however, individual test accommodations must be documented in the student's IEP

If the student fails to meet one of the criteria for participation in the VAAP, the student must participate in the SOL assessment program with or without accommodations.

II. Role of the Individualized Education Program (IEP) Team and Participation in Standards of Learning (SOL), Growth Assessments, and the Virginia Alternate Assessment Program (VAAP)

(For students identified under the Individuals with Disabilities Education Improvement Act of 2004)

For all students with disabilities identified under IDEA, the IEP ensures that they receive a free appropriate public education. The IEP process also ensures that each student's parent(s)¹ is an active participant of the IEP Team. The IEP Team makes decisions about participation in each of the assessments and the need for and selection of accommodations. These decisions must be made during the annual IEP Team meeting that precedes the assessment administration. If the IEP Team believes that these decisions should change, an IEP meeting must be held to address and document these issues in the IEP prior to the test administration. The ramifications of these decisions made by the IEP Team must be clearly explained to and understood by all IEP Team members including the student's parent(s) and the student, if appropriate. Additionally, the parent(s) and student must be provided with prior notice regarding the proposed IEP.

For all students with disabilities identified under IDEA, the IEP Team determines how the student will participate in the accountability system.

A student's IEP must specify the student's participation in the state accountability system as follows:

- participation in the SOL tests and the Growth Assessments with no accommodations;
- participation in the SOL tests and the Growth Assessments with accommodations; or
- participation in VAAP.

If the IEP Team determines that the student will participate in the VAAP instead of taking SOL tests and the Growth Assessments with or without accommodations, a statement that addresses each of the following must be included in the IEP:

- why the student cannot participate in the regular assessment;
- why the VAAP is appropriate for the student, including how the child meets the criteria for the alternate assessment; and
- how the child's participation in the VAAP will impact the child's promotion and/or graduation.

¹ See the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*, at 8VAC 20-81-10 for the definition of a parent for a child with a disability. The parental rights transfer to the student when he/she reaches the age of majority (18 in Virginia) unless certain procedures specified in regulations have been followed.

III. Role of the 504 Committee and Participation in Standards of Learning (SOL) and Growth Assessments

(For students identified under Section 504 of the Rehabilitation Act of 1973, as amended)

Each school division is required to determine appropriate educational programs for all students with disabilities who qualify under Section 504 by convening a knowledgeable group to evaluate and determine program needs. Therefore, decisions about the participation in each of the assessments, the need for, and selection of accommodations are the responsibility of a 504 Committee. Each student's parent, legal guardian or surrogate parent must be a participant in these decisions. These decisions should be made during the 504 Committee meeting which precedes the assessment administration. If the decisions were not made at this time, an additional 504 Committee meeting must be held to address these issues prior to the test administration. The ramifications of the decision must be clearly explained to and understood by all 504 Committee members including the student's parent, legal guardian, or surrogate parent and the student, if appropriate.

A student's 504 Plan must specify the student's participation in the state accountability system as follows:

- participation in the SOL tests and the Growth Assessments with no accommodations or
- participation in the SOL tests and the Growth Assessments with accommodations.

IV. Procedures for Determining Participation

When determining participation in Virginia's Accountability System, all students with disabilities first must be considered for participation in the SOL assessments. Generally, decisions about how a student with a disability will be tested should be made independently for each content area. The IEP Team or 504 Committee should consider the following assessment options.

A. Standards of Learning (SOL) Assessment Program

The vast majority of students with disabilities participate in Virginia's assessment program by taking Growth Assessments and SOL tests with or without accommodations. These students are working on grade level SOL content and are able to demonstrate their individual achievement through the regular assessment. These students may require instructional and assessment accommodations to access instruction and content and to demonstrate their skills and knowledge of grade level SOL.

B. Virginia Alternate Assessment Program (VAAP)

In considering possible participation in the VAAP, IEP Team members need to be sure that all possible SOL test accommodations have been examined as options to provide access to state assessments.

A student recommended for the VAAP may exhibit some or all of the following learning characteristics:

- communication difficulties;
- uneven learning patterns in all domains;
- multiple disabling conditions along with an intellectual disability;
- motor impairments;
- difficulty learning new tasks and maintaining skills; and
- individualized methods of accessing information.

The VAAP participation criteria form is designed to guide IEP Teams in identifying the population of students with significant cognitive disabilities who are unable to be assessed using the SOL tests even with accommodations. The revised document, [*VAAP Participation Criteria and the Determination of Significant Cognitive Disabilities*](#), summarizes available research on significant cognitive disabilities. When considering students for participation in the VAAP, IEP Teams are advised to consider information such as, but not limited to, educational evaluations, psychological reports, teacher observations, etc.

Eligibility for the VAAP is not considered on a test-by-test basis. If a student is eligible for the VAAP, he or she will participate in VAAP for reading, mathematics, and science. Students participating in the VAAP *must* be enrolled in grades 3-8 or high school. Test items will be presented online or in a paper format based on the student's needs.

For details regarding the implementation of the VAAP refer to the [VAAP webpage](#) on the Virginia Department of Education website.

C. History/Social Science and Writing Collections of Evidence for Students with Significant Cognitive Disabilities

History/social science and writing are not addressed in the VESOL, and the new VAAP does not include items that cover content in these subject areas. Students who meet the VAAP participation criteria will be assessed in history/social science and writing using collections of evidence that demonstrate student achievement on the existing Aligned Standards of Learning (ASOL).

Specifically, history/social science collections of evidence are required for eligible students with significant cognitive disabilities in the grade levels that Virginia Studies and Civics and Economics are assessed in the school division for students without disabilities. Writing collections of evidence are required for students with significant cognitive disabilities in grade 8. Students at the high school level with significant cognitive disabilities are not required to submit collections of evidence for history/social science or writing since the high school state assessments in these subject areas are used to meet diploma requirements for students pursuing a standard or advanced studies diploma. Students participating in VAAP generally pursue an Applied Studies diploma.

For details regarding the implementation of collections of evidence for history/social science and writing, contact the school division's Division Director of Testing (DDOT) or visit the VDOE website [Resources for Assessing History and Writing](#).

D. Determining State Assessment Participation Chart

When determining how the student will be tested on the state assessments, the IEP Team or 504 Committee should consider the following options:

Characteristics of Student Performance	Recommended Assessment Participation
OPTION 1	
<i>If the student</i> a) is receiving instruction based on the Standards of Learning,	<i>Then</i> the student should take the Standards of Learning tests and the Growth Assessments, with or without accommodations.

Characteristics of Student Performance	Recommended Participation for Virginia Alternate Assessment Program
OPTION 2	
<i>If the student</i> a) has an IEP (or one is being developed), <i>and</i> b) demonstrates significant cognitive disabilities, <i>and</i> c) requires intensive, frequent, and individualized instruction in a variety of settings to show interaction and achievement, <i>and</i> d) is receiving instruction based on the Virginia Essentialized Standards of Learning (VESOL) <i>and</i> e) is working toward an Applied Studies Diploma,	<i>Then</i> the student should participate in the Virginia Alternate Assessment Program.

V. Non-Participation of Students with Disabilities in the Virginia Assessment Program

Neither the IEP Team nor the 504 Committee can make decisions for non-participation in state assessments. If a parent requests that a student not participate in one or more state assessments, then the IEP Team or 504 Committee must convene to explain the consequences associated with non-participation.

When refusing to participate in grades 3-8 assessments, consequences may include:

- teachers, parents and student will not receive information on student progress contained in the assessment score reports; and
- the student may not have an opportunity to experience an assessment in the content area prior to taking assessments required for graduation.

If parents or guardians refuse to have a student participate in SOL End-of-Course (EOC) assessments, the student may not be able to meet graduation requirements.

In addition, if the parent/guardian decides on non-participation in one or more state assessments, the decision will be considered a refusal to participate and the student will receive a score of “0” for each test that is refused. Documentation indicating the consequences of not participating must be fully explained to and understood by the parent, guardian, surrogate, and student, and must be attached to or become part of the student’s IEP or 504 Plan.

Students who are enrolled in courses with associated EOC SOL assessments shall take all applicable EOC SOL tests following course instruction. Students shall not be required to take an EOC SOL test in an academic subject after they have earned the number of verified credits required for that academic content area for graduation, unless such test is necessary to meet federal accountability requirements. Students who are not enrolled in a course but are auditing the course or being instructed in only part of the content do not take the EOC SOL assessment. In such cases, the course title and code should reflect the instruction being provided to the student.

Students meet federal testing requirements by taking SOL tests, or in the case of students with significant cognitive disabilities, participating in the Virginia Alternate Assessment Program (VAAP). Students who are not enrolled in courses with associated EOC SOL assessments and are not eligible to participate in the VAAP will be counted as non-participants for federal accountability.