

BOARD OF PUBLIC EDUCATION

CHAPTER 56

ASSESSMENT

Subchapter 1

General Information

Rule 10.56.101 Student Assessment

NEXT PAGE IS 10-813

## Subchapter 1

## General Information

10.56.101 STUDENT ASSESSMENT (1) By the authority of 20-2-121(12), MCA and ARM 10.55.603, the Board of Public Education adopts rules for state-level assessment in the public schools and those private schools seeking accreditation.

(2) The board recognizes that the primary purpose of assessment is to serve learning. A balanced assessment system including formative, interim, and summative assessments aligned to state content standards will provide an integrated approach to meeting both classroom learning needs and school and state level information needs. A balanced assessment system is structured to continuously improve teaching and learning and to inform education policy.

(3) In order to obtain state-level achievement information, all accredited schools shall annually administer a single system of state-level assessments approved by the board. The following state-level assessments shall be administered according to standardized procedures. Districts and schools shall ensure that all test administrators are trained in and follow those procedures.

(a) State-level assessments shall be administered to all students as specified below:

(i) The English language arts and mathematics assessments shall be aligned to Montana content standards in English language arts and mathematics and administered in grades 3-8 and 11;

(ii) The science assessments shall be aligned to Montana content standards for science and administered in grades 4, 8, and 10; and

(iii) The assessments shall be administered in the spring of the year.

(b) State-level assessments aligned to Montana English language proficiency standards shall be administered to all students identified as Limited English Proficient (LEP) in grades K-12. These assessments shall be administered mid-school year.

(c) The obligation for funding the assessments identified in (a) and (b) is an obligation of the state. This section may not be construed to require a school district to provide these assessments if the state does not have a current contract with test vendors for provision of these assessments to Montana school districts.

(4) State-level assessment results are a part of each student's permanent record as described in ARM 10.55.909.

(5) The Superintendent of Public Instruction shall provide a report of the results to the Legislature and annually to the board.

(6) The Superintendent of Public Instruction is authorized to make available the reported student assessment data in compliance with confidentiality requirements of federal and state law. State-level assessment results released to the public shall be accompanied by a clear statement of the purposes of the assessments, subject areas assessed, level of measurement of the content standards, and the percent of students who participated in the assessments. The Superintendent of Public Instruction will ensure transparency and public availability of public school performance data and reporting as outlined in 20-7-104, MCA.

(7) All students shall participate in the state-level assessments.

(a) For a student with disabilities, the student's individualized education program (IEP) team has the authority to specify accommodations to be provided, as defined in (8), for participation by the student in the state-level assessment.

(i) When an IEP team determines that an accommodation for a student's disability would still not allow for adequate measurement of the student's progress toward the content standards, the IEP team may waive using the approved state-level assessments by providing alternate assessments that are appropriate to determine the student's progress toward the content standards.

(b) For a student who has been identified through the district's process as LEP, accommodations may be provided, as defined in (8), for participation by the student in the state-level assessment.

(i) When the result of the district's process indicates that an accommodation for an LEP student who has had fewer than three years of instruction in English would still not allow for adequate measurement of the student's progress toward the content standards, the team of educators may waive using the approved state-level assessments by providing alternate assessments that are appropriate to determine the student's progress toward the content standards.

(8) Accommodations allow a student to demonstrate competence in subject matter so that state-level assessment results accurately reflect the student's achievement level rather than limited English language development or impaired sensory or manual skills, except where those skills are the factors which the assessment purports to measure.

(a) Accommodations for state-level assessment purposes are defined as modifications of the test administration procedures similar to those used to assess the student in the instructional setting.

(b) Accommodations vary for the state required tests under (3)(a) through (c) and are dependent on the knowledge and skills being measured. Test-specific accommodations are detailed in test administration manuals.

(c) The Superintendent of Public Instruction shall provide guidance to schools concerning appropriate accommodations.

(9) The Superintendent of Public Instruction shall recommend in writing to the board any modifications to the single system of state level assessment as set forth in (3)(a)(i) through (iii). The board may consider recommended modifications as an information item on an agenda at a board meeting. At that meeting, the board may vote to list the recommendations as an action item on the agenda of a subsequent board meeting. Unless approved by the board, no recommended modifications are effective and no accredited schools may implement the recommended modifications. (History: Mont. Const. Art. X, sec. 9, 20-2-121, MCA; IMP, Mont. Const. Art. X, sec. 9, 20-2-121, 20-7-402, MCA; NEW, 1988 MAR p. 976, Eff. 5/27/88; AMD, 1992 MAR p. 1472, Eff. 7/17/92; AMD, 1993 MAR p. 683, Eff. 4/30/93; AMD, 1995 MAR p. 627, Eff. 4/28/95; AMD, 1997 MAR p. 1186, Eff. 7/8/97; AMD, 2000 MAR p. 957, Eff. 4/14/00; AMD, 2012 MAR p. 2057, Eff. 10/12/12; AMD, 2016 MAR p. 1392, Eff. 8/6/16.)